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Civil Service Reform in
the National Service, 1889-1891

Six Reports of the Special
Investigating Committee of the
National Civil Service Reform
League -

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National
CIVIL SERVICE REFORM

IN THE

3

NATIONAL SERVICE

1889-1891

SIX REPORTS

OF THE

SPECIAL INVESTIGATING COMMITTEE

OF THE

National Civil Service Reform League

BOSTON

PRESS OF GEO. H. ELLIS, 141 FRANKLIN STREET

1891

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17. About two thousand.

18. About two hundred.

19. Could not guess; hundreds.

20. Something less than a million.

21. It is impossible for me to say how many applications for office I have received during the past twelve months; but they have been almost innumerable, and it has been impossible for me to favor a tenth of those who desire positions. And the most of the applicants I know to be worthy and deserving men, whom I would be glad to aid if it were possible for me to do so.

Taking an average of the above (omitting numbers 9, 19, 20, and 21), the number of applications made was something over seventeen hundred to each member.

To the interrogatories, "What is the average amount of correspondence which each of these applications requires on your part; and what amount of time, either of your own or of your secretary or clerk, is required, as nearly as you can judge, for conducting this correspondence and for attending to appointments?" your committee have received the following answers:—

1. During the past year, more than three-quarters of my time in the day was given to attending to appointments; and late every evening (except Sunday) was given to my correspondence, with the valuable assistance of a stenographer, and even then I found it impossible to answer more than half or two-thirds of my correspondence.

2. The amount of time is about one full day in each week.

3. About half the time of one man.

4. The probable average amount of correspondence is about five letters for each application, requiring about one-fourth—possibly, one-third—of my entire time.

5. The average amount of correspondence is about six letters each; about two hours' time.

6. I think that attention to the demands of those applications consumes one-fourth of my working time.

7. About half of my time. Perhaps two letters each.

8. Could give no light upon it, but quite a burdensome correspondence.

9. One-third of time of self and clerk. Several letters each; some of them fifty or a hundred.

10. These applications will require, on an average, two letters each. I should think that at least two hours a day have been required for conducting this correspondence and attending to appointments.

11. Nearly two hours daily during last summer; not so much now, and I cannot easily give an estimate.

12. The average amount of correspondence which each of these applica-

tions requires is rarely less than two or three, sometimes ten. I have had cases of twenty. The amount of time required is more than any branch of my public duties since November, 1888.

13. Probably five letters each, all round. All the time I could get.

14. About four letters to each applicant. About one-tenth of my time.

15. A low estimate of the average amount of correspondence which each of these applications requires on my part would be five in each case, or between four and five thousand letters in all. If it were not for the distribution of these offices, it would be easy for me to conduct my official correspondence personally; but, as it is, a secretary is required, and the burden of the office greatly increased.

16. Eight to fifteen letters each; eight to ten hours per day.

17. An average of three letters each; one-half of my time.

18. About two letters each; about one hour each day.

19. About a dozen letters, on the average, to each; half of my time.

20. One prolonged and continuous correspondence. The constant and entire time of both myself and secretary would not suffice.

21. I think that during the last twelve months the lives of most of the Republican members of Congress have been made miserable by the post-office controversies in their Congressional districts.

22. Each place filled on my recommendation has required probably twelve letters written.

23. Do not know what amount of time, but a good part of it.

It is not an extravagant estimate from the above answers to say that more than one-third of the entire time of these Congressmen (time which should properly be devoted to their legislative duties) is consumed in the distribution of offices.

The condition of affairs in this respect does not seem to have changed very greatly from the time when General Garfield, in his speech at Williams College, said, "One-third of the working hours of Senators and Representatives is hardly sufficient to meet the demands made upon them in reference to appointments for office." The number of places withdrawn from Congressional patronage by the Civil Service Law has been about 29,000, but this has been counterbalanced by the growth of the service.

Your committee then proceeded to inquire more particularly into the extent to which this patronage interfered with the proper performance of the legislative duties which the Constitution imposes upon members of Congress. Your committee examined the records of Congress, for the purpose of determining the relative number of

measures which remain unconsidered at the end of each session from lack of time to give them proper consideration. Taking the last Congress as an illustration, your committee found that the number of bills and joint resolutions introduced was 17,078, to wit: House bills, 12,664; resolutions, 269; Senate bills, 4,000; resolutions, 145. Out of this total number of 17,078, your committee ascertained that the bills and resolutions passed were only 1,824, or a little more than ten per cent., leaving a balance of 15,254 measures introduced, but not adopted. This, however, does not furnish a just criterion of the measures which Congress was unable to consider, since some of these measures were passed upon adversely. Your committee therefore examined the indexes of the last *Congressional Record* of both sessions, and found that, out of the 17,078 measures introduced, more than eleven thousand were referred to committees and never reported by the committees to which they were referred; that about fourteen hundred were introduced and reported by these committees, but never reached final consideration in the respective houses in which they were originally introduced; that something more than one thousand passed the house in which they were introduced, but never reached final consideration in the other branch of Congress, while less than thirty-five hundred were finally acted upon. Your committee included in the measures finally disposed of all bills and resolutions approved by the President; all which became laws without his approval; all which passed both houses and were examined and approved, even though they finally failed to become laws through lack of proper submission to the Executive; all measures which were vetoed by the President, whether afterwards considered by Congress or not; and all measures which were withdrawn, laid on the table, or indefinitely postponed in either house. It is evident, however, that many of these measures, including bills which were laid on the table (from which they might be taken at any time), were not intended to be definitely rejected.

Why is it that the committees to which this proposed legislation is referred have no time to sort out the good from the bad, no time to consider more than a small fraction of the measures submitted to them? Why is it that so many bills reported fail to receive consideration in the respective houses of Congress. Why is it that so many measures which finally pass are ill-digested and carelessly drawn, and require expensive litigation to construe their meaning?

It is not hard to find an answer, when it is known that more than one-third of the working hours of the members belonging to the party which is responsible for the legislation of the country is devoted to business entirely foreign to that legislation.

The system itself is inherently vicious. The union in a single person or body of men of different functions of government, which are distinct in their nature, is evidence of a low form of political organism. In a large community with complicated interests it is only where these functions are definitely distributed that we can expect to see them properly performed. It is just as inconsistent with good government for the legislators to appoint the officers who are to administer the laws as it would be for a judge to undertake personally the execution of the process which he issues, or as it would be for these law-makers themselves to act as judges in administering and applying their own laws. It is only where the legislative, executive, and judicial departments are kept distinct that we can expect efficient work from any of them. An encroachment by any of these departments upon the duties of the other is a manifest usurpation. The Federal Constitution has carefully distributed to each its own powers and duties. The duty of Congress is to make the laws. The Senate, as the adviser of the President, has a qualified right to pass upon his nominations for certain offices; but to the House of Representatives no such right is given in any form, and yet we find members of both houses, in violation of the purposes of the Constitution, controlling appointments in every branch of the public service, and demanding that their constituents and political friends shall receive situations, often as a reward for personal and political favors, and not on account of any qualifications for public office. So it has been common to find these appointees active in conventions, caucuses, and primaries, working for the interests of the particular Congressman to whom they owe their appointments, and often without regard for the public welfare; and it is for this work, or with the hope of securing it in the future, that the appointment is often given as the reward or the incentive.

It is sometimes urged against civil service reform that the head of each department and bureau ought to have the selection of his own subordinates; but under the patronage system he has no such selection at all. The men selected are chosen, not on account of the

knowledge of their fitness possessed by the appointing officer, but because they are recommended by a certain Representative or Senator. The head of the department or bureau feels little responsibility for their acts. It often happens that he is not at liberty to discharge an inefficient man, lest he may offend the Congressman whose influence secured the appointment of that man. The Congressman, on the other hand, does not feel the responsibility for these appointments; for he is not nominally nor legally the appointing officer. In many cases it is not known on whose recommendation the appointment is made. This system "invades the independence of the Executive, and makes him less responsible for the character of his appointments. It impairs the efficiency of the legislator by diverting him from his proper sphere of duties and involving him in the intrigues of the aspirants for office." (James A. Garfield, *Atlantic Monthly*, July, 1877.)

But not only does the patronage system impair the efficiency of the service, it actually weakens the party in power. As was said in one of the answers to the above questions, "where ten men apply for an office, it is easy to disappoint nine of them." The experience of the last Administration, as well as of the present one up to this time, clearly shows that this irregular and unconstitutional mode of distributing public offices serves only to cripple the members who make the appointments and the political party under which it is done. Members of Congress realize this embarrassment when they order an election or caucus among the voters of their own party in the respective neighborhoods where post-offices are to be filled. The effort in such cases is undoubtedly to cast from themselves the responsibility of making a choice, which is quite sure to engender dissension.

Such an expedient is not only unjust in itself, but it rarely affords the relief sought. It is manifestly unfair to make an appointment for postmaster in a certain town depend upon the votes of one political party only. These may be an actual minority among the patrons of that office. The service to be performed is public service, paid for without reference to the political affiliations of the patrons; and, if the choice is to be made by the suffrages of those who are interested, it is not just that any should be disfranchised. The re-

sult of these elections often adds to the confusion and embarrassment which patronage entails, as your committee has learned in the course of its inquiries.

To our question, "Have any elections been held in your district to determine who the appointee should be; and, if so, in how many instances, where, and for what positions?" the following answers have been received from Congressmen in whose districts such elections have been held:—

4. In two instances, for postmasters, resulting in both cases in difficulty and dissatisfaction.

6. Elections have been held in eight places in my Congressional district for the selection of postmasters. No elections have been had for the purpose of designating any other appointment.

8. One election, to determine who should be the post-office appointee. We let all parties vote, and confined it to one town; would not hold another election for that purpose under any consideration.

9. One election was held so far, for postmaster, which was unsatisfactory on account of small attendance. There will be another on March 27 for postmaster.

11. In a few instances elections by petitions for the position of postmaster.

12. One last year for postmaster. The result increased strife.

13. None. At the solicitation of candidates and others I called three post-office elections, and I got into hot water. The very persons who had asked for elections protested most loudly against them; and I then appointed the postmasters, or recommended them myself.

15. In case of every presidential post-office in the district where there has been a vacancy since the 4th of March, 1889, a caucus of Republican voters has been held to recommend the candidate for the office. These caucuses have been largely attended; and the result in every instance has been perfectly satisfactory, both in the character of the candidates elected, who have been, without exception, excellent men, and entirely removing the disputes and factious quarrels which arise from such appointments.

16. Two for postmasters.

17. Two for post-offices.

18. None. One was held without my knowledge, in which voters were excluded who had a right to be heard, and I paid no attention to the election.

21. I had a few post-office elections in my Congressional district; but, as there is no law regulating such elections, they have resulted in bitterness

and strife, and did more to engender animosities and ill-will between the patrons of the office than any other method I could have adopted for settling post-office contentions. Hence I have not favored them, and henceforth shall discourage them where I can.

22. Yes: I settled perhaps twenty post-office contests by a caucus of Republican electors. It worked fairly well.

24. In one instance elected a postmaster.

The other answers state that no elections were held.

An amusing account of an election held in his district was given in an interview with one of the Representatives. He said: "I have held one election only under this Administration, and that had a most disastrous result. It resulted in several men losing their characters, one or two were turned out of church, and all was turmoil and confusion. Carriages were hired to bring voters fourteen miles distant, and citizens of another State voted. The doors of the polling places were broken in. Democrats were allowed to vote. There were no safeguards about the polls. No oaths were required, and there was no respect for the election. The judges certified the election of one man, but sent a statement with the certification that the election was carried by fraud, the same name appearing upon both papers. The consequence was, I went outside for the postmaster, and chose a man who had not voted and took no part in the fight. He moved into the town, and took the office (worth not more than \$150 per year); but they would have torn the election nominee to pieces if I had recommended him. I look upon these elections as a party disaster."

Other members, as well as some of the above, have expressed their opinion of the patronage system in no favorable terms. One says: "This patronage business is a great nuisance." Another: "I gave two hours a day to candidates for office all last summer, throwing open a room to them six days out of the week. Of course it was an imposition, but I do not want to be put in the attitude of complaining of my constituents so long as the system exists." Another says that he regards appointments by Congressmen as injurious to the best performance of their legislative duties, but, while the system exists, it is not possible for members of Congress to avoid the responsibility, and their duty is to make the best possible use of the patronage which custom imposes upon them.

Another objection to the patronage system is the secrecy by which it is surrounded. Recommendations and petitions, which are signed upon solicitation and which mean nothing; charges and counter-charges, preferred in the dark; political influence, which is often really exerted in favor of one man while it appears to be exerted in favor of another; intrigues and defamation of character,—all these things are only incidents to a system which produces and nourishes them.

Another consequence of this system of Congressional patronage has been the distribution of offices in many Congressional districts by the defeated candidates for Congress belonging to the party in power. This irresponsible and illegal apportionment of patronage has led to many scandals. In Missouri there are a number of instances in which these distributors of patronage have collected considerable sums of money from the men seeking their recommendations. These "donations, or free gifts" (as they have been called by the recipients of them), are ostensibly made to cover "the expense attached to the proceedings" of recommending them; but it is evident that transactions of this character are essentially corrupt.

The object of your committee in laying these facts before the public is rather to expose the infirmities of the patronage system than to criticise the action of individual Congressmen or of the party in power. These evils have existed under both political parties; and, so long as the present system exists, it is difficult for any individual Congressman to refuse to exercise that patronage which universal custom has thrust upon him, often without his consent or desire. The remedy lies in the adoption of general laws which shall remove these offices from Congressional interference. In this connection, we desire to call the attention of the League to the provisions of a bill recently introduced into the House of Representatives by the Hon. Henry Cabot Lodge, of Massachusetts, in respect to fourth-class postmasterships, offices which at present constitute the bulk of those subject to Congressional patronage. This bill provides that the United States shall be divided by the Postmaster-General into postal districts, and that he shall designate for each district a post-office inspector to act as examiner. (As these inspectors are now appointed in pursuance of the Civil Service Law, there is reason to believe that they will not be greatly subject to political influence.) The bill provides that, whenever a fourth-class postmaster is to be

appointed, the inspector for the district shall post notices in conspicuous places in the vicinity, stating the place where the post-office is situated, the compensation, the amount of bond, the place where application papers may be obtained, and to which they must be returned, and any other proper information. At least fourteen days' time is to be given for returning the application papers. The inspector must furnish all applicants with blank forms of certificates, in which the applicant, in his own handwriting, shall state, upon oath, his name, residence, post-office address, citizenship, time and place of birth, education, health, and physical capacity for the service, previous employment in the military or naval service, business and residence for the previous five years, whether convicted or under indictment for any crime, and, if so, what, and the particular building where the applicant proposes to establish the post-office, and whether in connection with any other business. The candidate shall furnish a sworn certificate, signed by three reputable citizens, declaring their belief that he is a suitable person. No other recommendation shall be offered. No certificate shall be signed by any person holding office in the Federal or State government. No application shall call for or furnish any information concerning the politics of the applicant. At the expiration of the time for receiving application papers, the inspector shall post a list of the applications in the vicinity, and visit the place and make such inquiries as shall enable him to form an intelligent judgment on the qualifications of the respective applicants. He shall then send to the Postmaster-General all the application papers, together with the report, in which he shall grade the applicants in the order of their relative fitness, according to his inquiries, and giving the reasons. These papers are to be preserved for five years, and upon them the Postmaster-General shall appoint one of the candidates whose names are reported and designated as fit to be appointed; but, if he shall select any other than the one graded highest, he shall place his reasons upon record, and these shall be open to public inspection. No appointment shall be absolute until the appointee has served one year on probation. The Postmaster-General shall not appoint upon political grounds, nor the inspector recommend any candidate upon such grounds.

This bill is an entirely new measure, and is largely tentative in its character; but it is progressive, it affords to the administration a means of appointing fourth-class postmasters without the necessity of consult-

ing members of Congress, and it will help to remove this great mass of small offices from political control and restore to members of Congress the dignity which ought to belong to the law-makers of the country. It will help to abolish a system of patronage which leads to endless contentions and bickerings in almost every community in the United States, which paralyzes the legislative power of Congress, and which holds these small prizes up as a reward for the lowest forms of political activity.

We would respectfully urge the League to take every measure possible to promote the favorable consideration and adoption of this or some other measure which seeks to substitute general rules for the individual discretion and self-interest of members of Congress and their political supporters. If the fourth-class post-offices can be removed from the field of political strife, the reform of the federal civil service will be more than half accomplished.

(Mr. MacVeagh, being absent on account of illness, is unable to sign this report before its presentation to the Executive Committee.)

WM. D. FOULKE,
CHAS. J. BONAPARTE,
RICHARD H. DANA,
SHERMAN S. ROGERS,
By W. D. FOULKE, *Chairman.*

APRIL 10, 1890.

PATENT OFFICE.

SECOND REPORT OF THE SPECIAL COMMITTEE OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

The Patent Office is a bureau quite unique in its character. Having to deal with the claims of inventors, it reaches nearly every manufacturing interest of the country; and there is a great body of mechanics and skilled artisans who are concerned in its proper administration and keenly watchful of its proceedings. The possession of a patent is often the only hope which a mechanic can cling to for a permanent betterment in his condition. The duties of most of the higher officials in the Patent Office are largely judicial in character. Though appeals are allowed from their decisions, yet a large number are not appealed from, and are therefore final; and for the performance of these judicial duties there is need of freedom from partisan politics and a reasonable degree of security of tenure during honesty and efficiency, and a hope of promotion for special ability. There is even less reason why these officers should be "political" than that the United States district or circuit judges should be "political," though in such positions as those of the Patent Office changes should be allowed where it is clear the efficiency of the office is to be thereby increased; and, on the other hand, no political influence should shelter incompetent or dishonest men from removal.

The head of the office is a commissioner, having associated with him an assistant commissioner; a law clerk, who aids in the judicial labors; a chief clerk, who is the principal administrative officer of the bureau; a finance clerk, in whose charge are the revenues of the office; a librarian; an examining corps, consisting of about one hundred and eighty persons, who investigate the claims of applicants, to determine what is new and patentable in their inventions; and about three hundred and sixty other employees,—clerks, copyists, draughtsmen, laborers, and messengers,—distributed chiefly among four principal divisions. The first of these divisions, which is under the

supervision of the chief clerk, receives, registers, and distributes all applications for patents, and has charge of interference and appeal records and the general correspondence of the office, as well as of the models and Scientific Library, and attends to the financial duties of the office; the second, or "Issue and Gazette Division," prepares patents for delivery, and issues the *Official Gazette* and other official publications; the third, or "Draughtsman's Division," has charge of the drawings, printed patents, photo-lithographic copies, and rejected and abandoned applications; and the fourth, or "Assignment Division," registers the transfers of patents, attends to the making of manuscript copies, preserves files of caveats, etc. Each of the last three divisions is under the control of a chief of division. The revenues of the Patent Office average about \$4,000 to the working day, and represent fees paid for patents for the registry of assignments, the purchase of patent publications and copies of specifications of American and foreign patents, and of American applications for patents, and of manuscript decisions of the judicial officers of the Patent Office. Between the Commissioner of Patents and the Examining Corps there exists an intermediate tribunal, known as the Board of Examiners in Chief, composed of three members appointed by the President, which entertains appeals from the adverse decisions made by the principal examiners; and from the adverse decisions of this board an appeal lies to the commissioner in person. Aside from these proceedings, a vast number of interlocutory appeals arise, which concern the methods of practice under the rules; and these are taken from the principal examiners directly to the commissioner in person. It will be perceived that the office of commissioner unites duties which are administrative and judicial, and demands, not merely a good lawyer, familiar with science and mechanics and with the application of legal principles, but at the same time a man of unusual executive capacity.

The beginning of the present administration found this whole bureau in the control of spoilsmen, as far as the Civil Service Law would allow it to be. They were in possession, both above and below the classified list, of nearly all the offices on which they could lay their hands. It would be no injustice to Mr. Montgomery, the first commissioner appointed by President Cleveland, to say that he entered the office without any experience in matters of patent law, and knew next to nothing of the practice and needs of the office.

He appointed his brother as his confidential clerk, to distribute the offices of the bureau among some of the more influential Congressmen. President Cleveland appointed as an assistant commissioner, presumably upon political influence, the brother of a Democratic Senator, who had served in Congress and had been chairman of the Committee on Patents. He was not a lawyer, and was without experience in the duties of such an office.

The appointment of the law clerk by the commissioner was also purely a matter of patronage. This was a position for which, during many years previous, the appointment had been made from members of the Examining Corps, detailed by personal selection of the commissioner. The duties of law clerk are not defined by law. He is an assistant to the commissioner; and, although he cannot render decisions finally, he acts as a sort of referee, who advises the commissioner on matters of fact and questions of practice which the latter officer cannot find time to examine in detail. It often happens that an efficient law clerk will prepare decisions which are afterwards signed by the commissioner upon inspection and approval. When cases go to the courts on appeal, the law clerk is the representative of the Patent Office. The variety and character of the work and the dignity of the place aroused the ambition of all those members of the lower Examining Corps who had some legal training, and made them eager to fit themselves in law and perform their duties well, in the hope that they might some time be selected for this position. This incentive had developed a splendid *esprit de corps* among these men, who were thus encouraged to engage in the study of patent law.

This position of law clerk had been held successively by men who have attained prominence at the patent bar. Only one exception had been made to the rule of appointing to this office by promotion from the lower positions in the Examining Corps. On that occasion, the law clerk was chosen from outside the office; and it was the cause of much discouragement among the examiners, who thus saw their own hopes of promotion taken away. This was the only exception until the administration of Commissioner Montgomery, who appointed the law clerk from outside and upon political grounds. This new law clerk was entirely inexperienced in the duties of the place, and could make no pretensions to being well qualified to perform them. This was a disastrous blow to the ambition of the examiners, who sought this promotion as a reward for the faithful performance

of their duty. Another place which had been held up as the prize of efficiency under former commissioners was that of Examiner of Interferences, a sort of court of first instance where trials are had by conflicting claimants upon proofs regularly introduced. This was also filled from the corps of examiners before Mr. Montgomery became commissioner. Under him, however, the new examiner was appointed from outside the office. Up to the time of his appointment, he knew little about the working of the Patent Office, and was not greatly experienced in patent law; but he has doubtless acquired considerable experience during his service. He remains in office.

Commissioner Montgomery also reduced two out of the three chiefs of divisions to \$1,800 clerkships, and filled the places of these chiefs by men from the outside, politicians of influence, but without experience, the men reduced doing the bulk of the work. One of the new appointees brought considerable scandal upon the office. He also still holds his position.

Another remarkable practice was begun under Commissioner Montgomery. The offices of fourth assistant examiners (whose duties properly related exclusively to the examination of patents) were in many instances filled by clerks who were still retained at their clerical work, and did no duty at all as assistant examiners, although they were classified as such. At one time there were no fewer than twenty of these clerks who had thus been transferred to fourth assistant examinerships, the duties of which position they did not perform. This weakened perceptibly the Examining Corps and impaired the efficiency of the office. Your committee was for some time at a loss to understand any motive for this transfer, as both these clerkships and examinerships were embraced in the classified service, and so could not be filled with political favorites; but your committee afterwards learned that the clerkships vacated by this transfer were filled by promotion from a lower grade, that the ranks from which these places were recruited were in their turn filled by a special examination for examiners' clerks, and that a number of persons appointed without competitive examination as "skilled laborers" had been detailed for duty as examiners' clerks, and had thus acquired a knowledge of the duties of that office, which gave them peculiar advantages for passing the special examination for it. Thus, by making a political favorite first a "skilled laborer" and then giving him a "special" examination, he could obtain a clerkship from

which political favorites were usually barred by open competitive examinations. These irregularities and perversions of the law could not but be followed by disastrous results.

The work of the Patent Office under these conditions steadily declined in efficiency. The Examining Corps had been under the control of the competitive system for a number of years, and it was mostly beyond the reach of political influence. The principal examiners, of whom there were twenty-eight, were officials whose salaries ranged above that fixed by the classified service; but the commissioner doubtless recognized that to remove these men of long training to make place for politicians would cause inextricable confusion, and that without them the bureau would be helpless and unable to perform its functions. Hence they were retained.

President Cleveland saw his way clear to transfer Commissioner Montgomery into a different field; and he appointed as his successor Benton J. Hall, of Iowa, who had also served in Congress and was a lawyer known to be of some ability and character in his own State, but not specially acquainted with patent law or the needs of the Patent Office. He devoted his energies mainly to preserving the remnants of good service against further inundations, and he gained the respect of all who knew him in the office. He was surrounded, however, by many incompetents, who had been inducted into office during the administration of his predecessor, and whom he did not discharge. He found it necessary to resort frequently to the practice of letting out a considerable portion of the judicial functions of the office to commissions specially created from time to time from among the older and more experienced men of the Examining Corps. These men, whose official duties required all their time, were obliged to take up details which ought to have been within the easy reach of the assistant commissioner and law clerk; but, while these latter were retained, there seemed to be no other way of doing the public business than that of calling in these examining officers to perform the duties of their superiors. A change for the worse was made during the administration of Commissioner Hall, when, in July, 1887, Schuyler W. Duryee was displaced from the office of chief clerk, and a successor was appointed for political reasons who was without experience, and therefore largely dependent upon his subordinates.

The appointment of the present commissioner by President Harrison was made in pursuance of sound business principles. There

were several candidates for appointment, some of them retired Congressmen, and many of them with strong political backing; but the President resisted this influence, and declared that, if the patent bar would unite in a recommendation, he would appoint the man they recommended. The present commissioner, Mr. Charles H. Mitchell, was suggested. He was a patent lawyer of extensive experience and of recognized standing, with a large income from his profession; and his acceptance of the office involved considerable pecuniary sacrifice. As soon as it was ascertained that he would accept, the leading patent lawyers of the country endeavored to secure his appointment. He had their almost unanimous support as thoroughly well qualified for the position. This commissioner seems to be independent of political influences, and has inaugurated valuable reforms. The President appointed to the office of assistant commissioner, in place of Mr. Vance, Robert J. Fisher, who had been a member of the Board of Examiners in Chief, and who had been a competing applicant for the commissionership. This appointment was strictly in the line of civil service reform principles. The office was next in grade above that which he had filled; and he was well qualified for it, had been in the service about twelve years, and had gone through the various grades from lowest assistant examiner up to the place he then occupied, and he had filled every grade worthily and satisfactorily. He was familiar with the business of the office and the *personnel* of the corps. The President, on the advice of the commissioner, next promoted, to the vacancy made by the promotion of Mr. Fisher, Mr. Solon W. Stocking, who had also begun at the lowest grades and had been in the office about seventeen years, a tried examiner of proved ability, upon whom the Democratic commissioners during their terms had greatly relied. Mr. Stocking had entered the Examining Corps by competitive examination, which had been applied to the Examining Corps for many years continuously previous to the passage of the Pendleton bill, and had risen through each grade in the same way, and is himself a typical fruit of the competitive system. Although an ardent Republican, he had given to the Democratic head of the office his best service. He had come in under civil service rules, and considered public duty as paramount to mere party claims. The commissioner also reappointed as his chief clerk Mr. Schuyler W. Duryee, who came in from the Treasury department in 1883, had been chief clerk during the admin-

istration of President Arthur (but had been displaced during the administration of Commissioner Hall), and was a man of excellent executive capacity. The commissioner also changed the law clerk, superseding him by Mr. Frothingham,—a change for the better; although, as Mr. Frothingham was appointed to the place from the outside, this change has not restored to the corps of examiners the incentive to faithful and efficient work which had formerly been inspired by the hope of promotion to this office from their own ranks. It is true that the office of law clerk is somewhat confidential in its nature, and the occupant should be in touch with the bar and outside world, and it may happen that the right sort of person may not always be found within the ranks of the Examining Corps. In such a case, it might be proper to make an exception from the salutary method of promotion; but it must also be remembered that special training and a knowledge of the office are required, and these can rarely be found outside of the office itself, that promotion to the office of law clerk is the only promotion besides that to the office of Examiner of Interferences to which the Examining Corps can look, that the good an established system of promotion does to the whole force is greater in its total result than the individual gain likely to be had by making an exception to the rule, and that one exception is likely to be followed by discouragement and uncertainty. Adding to this the fact that long experience in the department has shown admirable law clerks can be found among the Examining Corps, which at present is certainly not below the average, your committee think it was a mistake not to revive the advantages gained by the former system of promotion within the office.

Your committee are glad to report from information in their possession, derived, as they believe, from trustworthy and non-political sources, that there has been a decided improvement in the efficiency of the office since the appointment of the present commissioner.

The system of competitive examinations, as applied to the Patent Office, had been begun under the Civil Service Commission and rules, established by General Grant in 1871-72; and, though these rules were in operation for a short time only, "the system of competitive examinations, once established," to quote from a letter written us by a former Commissioner of Patents, and representing the opinions of several of the leading commissioners from 1872 to 1885, "so approved itself that succeeding commissioners clung to it."

"Experience has shown that the office obtained better 'raw material' under open competition, and that promotion in grade for approved fitness in like competition relieved the commissioner from a tremendous amount of importunate buttonholing, and was accepted by the corps as a fair and square test"; that the members of the corps "were thus secure in zealous efforts to study and work for their own advance," and "the efficiency and *esprit de corps* of the appointees were thus constantly improving." These examinations, as continued by the Commissioners of Patents, applied only to the various grades of the Examining Corps; while, under the Pendleton law (1884), the examinations have been extended to the positions of clerks, draughtsmen, skilled laborers, and others.

The following tables show the positions in the unclassified and classified service of the Patent Office, with the salaries:—

POSITIONS IN THE PATENT OFFICE NOT WITHIN THE CIVIL SERVICE RULES.

Commissioner,		\$5,000
Assistant Commissioner,		3,000
Chief Clerk,		2,250
Law Clerk,		2,000
3 Examiners in Chief,	\$3,000 each,	9,000
Examiners of Interferences,		2,500
Financial Clerk,		2,000
3 Chiefs of Divisions,	2,000 "	6,000
Messenger and Property Clerk,		1,000
45 Laborers,	600 "	27,000
40 Laborers,	480 "	19,200
15 Messenger Boys,	360 "	5,400
113 Total,		\$84,350

POSITIONS WITHIN THE CIVIL SERVICE RULES.

30 Principal Examiners,	N.C.*	\$2,400 each,	\$72,000
32 First Assistant Examiners,	C.L.	1,800 "	57,600
36 Second Assistant Examiners,	C.L.	1,600 "	57,600
41 Third Assistant Examiners,	C.L.	1,400 "	57,400
50 Fourth Assistant Examiners,	C.	1,200 "	60,000
1 Librarian,	N.C.	2,000 "	2,000
3 Assistant Chiefs of Divisions,	C.	1,800 "	5,400
3 Clerks of Class Four,	C.	1,800 "	5,400
1 Machinist,	C.	1,600 "	1,600
5 Clerks of Class Three,	C.	1,600 "	8,000
12 Clerks of Class Two,	C.	1,400 "	16,800
Amount carried forward,			\$343,800

* C. indicates the positions are gained only by open competition. N. C. indicates the positions are gained by appointment, subject to a non-competitive examination. C. L. indicates the positions are gained by a competitive examination, limited to the grade below.

<i>Amount brought forward,</i>				\$343,800
50	Clerks of Class One,	C.	\$1,200 each,	60,000
1	Skilled Laborer,	C.	1,200 "	1,200
3	Skilled Draughtsmen,	C.	1,200 "	3,600
4	Draughtsmen,	C.	1,000 "	4,000
25	Permanent Clerks,	C.	1,000 "	25,000
5	Model Attendants,	N.C.	1,000 "	5,000
10	Model Attendants,	N.C.	800 "	8,000
60	Copyists,	C.	900 "	54,000
4	Copyists,	C.	720 "	2,880
92	Skilled Laborers,	N.C.	720 "	66,240
468 Total,				\$573,720

In the history of this office, we see not only how beneficial the civil service system has been in giving increased efficiency in this important office, to the great advantage of the general public, but also how it is possible, notwithstanding the Civil Service Law, for a head of a bureau who is not in sympathy with the purposes of that law to go very far toward demoralizing the bureau. This was done by filling the places above and below those covered by the law with political favorites, and by making exceptions to the rules and "back-door entrances" to the classified service; and, lastly, we see how it was mainly the good effects of the civil service rules acting upon these places to which it applied that saved the demoralization from being complete.

The contrast between the two systems, as affecting the efficiency of an office, is striking. The spoils system means giving the offices for partisan purposes to those who feel it a favor to receive the appointments. The reform system seeks to establish permanent administrative methods for guarding business principles in office, against political interference. These methods consist of open competitive tests made to suit the special duties to be performed, practical trial in office during a probationary period before final appointment, filling the higher grades by promotion, and at the heads of the bureaus to put such persons as confer a favor upon the public by accepting the position rather than such as consider the office as a favor to themselves in return for political influence or work.

(Mr. MacVeagh, on account of illness, is unable to examine this report before its publication.)

WM. D. FOULKE, *Chairman.*
CHARLES J. BONAPARTE.
RICHARD H. DANA.
SHERMAN S. ROGERS.

JUNE 20 1800.

PRESIDENTIAL POSTMASTERS.

THIRD REPORT OF THE INVESTIGATING COMMITTEE OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

To the Executive Committee of the National Civil Service Reform League:

Your special committee, appointed to inquire into the condition of the Federal Service and the operation of the reform law, has completed its investigation of removals and resignations of presidential postmasters during the first year of the present administration.

It gave us satisfaction to note in our last report the improved condition of the Patent Office and the adherence to civil service principles in its management. We are not able to discover the same adherence to business methods in respect to the changes made among presidential postmasters. In investigating these changes, we have attempted to ascertain:—

1st. Their number.

2d. The motive, whether made for political reasons or to promote the efficiency of the service.

Our first effort was to ascertain what changes had been made. For the purpose of obtaining official information, our chairman opened a correspondence with the officers of the Post-office Department which is fully set forth in the following letter addressed by him to the President on March 27, 1890, and in the letters therein referred to and annexed to this report:—

WASHINGTON, D.C., March 17, 1890.

Hon. BENJAMIN HARRISON, President of the United States:

Dear Sir,—On February 20 I wrote to Mr. J. Lowrie Bell, General Superintendent of the Railway Mail Service, asking him how I could secure copies of the Daily Bulletin of the orders affecting the Postal Service, and obtain access to past files of this Daily Bulletin. On February 21 he answered that it could only be furnished for official purposes; that the file was kept at his office; and that, if I would

call and show why I should examine it, I would, if proper, be allowed to do so. On February 22 I answered, saying that a special committee was recently appointed by the National Civil Service Reform League to inquire into the present condition of the Civil Service with reference to this reform, and that I was placed in charge of this work in Washington, that a list of appointments and removal of postmasters was necessary, and asking whether I might be allowed to look over these past files and take copies of such portions as might seem necessary, or whether such inspection would be inadmissible. On March 1 I received an answer from Postmaster-General Wanamaker that the department was governed by a well-established precedent, which denied to the public the privilege of inspecting papers in appointment cases for many sound reasons, in furtherance of which such papers had invariably been deemed privileged and confidential with the department. It will be observed that I asked nothing more than to inspect past files of the Daily Bulletin in the office of the General Superintendent of the Railway Mail Service, and that I am told that such papers have invariably been deemed privileged and confidential.

Thinking there must be some misapprehension on the part of the Postmaster-General, I wrote him on March 6 that the files I desired to look over were the files of the Daily Bulletin containing lists of appointments and men removed, and not any other files, and that I understood these were given to the public press, and did not see how they could be deemed confidential. I stated that all I desired to see was a record of the removals and appointments, and not of any other files or papers relating in any other manner to such removals and appointments. To this I received an answer from the Postmaster-General, dated March 11, politely requesting me to call upon him at my earliest convenience. On the afternoon of March 14 I accordingly called upon the Postmaster-General, but he declined to permit an inspection of these files of the Daily Bulletin, telling me I had no business to see them.

On April 26, 1889, Mr. William Potts, Secretary of the League, asked Mr. Wanamaker for information as to the names of postmasters who have died, resigned, or been removed since the incoming of the present administration, and the names of those who have been appointed during the same period, and also their offices. Mr. Wanamaker replied May 10 that the information asked was furnished daily through the press in announcing the appointments made, and that the changes were furnished in manifold to the representatives of the press, embracing the name of the office and the former official, the cause of the change, whether from resignation, death, improvement of the service, or removal, and the name of the new appointee. Mr. Wanamaker said that it would be impossible for the working force of the department to furnish the special information sought, and that it would be a violation of the regulations to admit outsiders to perform any work in connection with the official and legal papers of the department.

On June 18, 1889, Mr. J. Hemsley Johnson, the editor of the *Civil Service Reformer*, a newspaper published in Baltimore, wrote a letter to the Postmaster-General asking for the total number of removals in the Railway Mail Service between March 4 and June 1, 1889. Mr. Wanamaker answered that there was a daily statement given to the public press of all the changes made, and added the following: "As we understand it, your paper has thus far given scarcely anything but misrepresentations by way of alleged facts to the people in discussing this question. We are very much gratified to see this change in your disposition, and a desire to deal frankly and fairly, and to come to first sources to gain official facts before taking up official discussion. Therefore, if you are ready to begin the discussion on the basis of truth and candor, and willing to correct the false statements heretofore made in your journal, and to say frankly to the public that said previous information was wrong, and that you henceforth intend to discuss matters connected with the Postal Service intelligently and fairly, on actual official data, we should be glad to furnish you with any information at our command."

I enclose copies of this correspondence for your inspection.

Without considering now whether the record of removals and appointments is not so far a public record as to entitle any citizen to its inspection at such reasonable hours as may be consistent with the business of the department, permit me to say that the refusals to allow it ought to be more consistent. Mr. Wanamaker refuses to allow me to look over the files of appointments and removals because such papers have invariably been deemed privileged and confidential, and yet he tells Mr. Potts and the editor of the *Reformer* that they are furnished daily to the public press. He says to Mr. Potts that it would be impossible for the force of the office to furnish the special information, and a violation of the regulations to admit outsiders to obtain it; and yet he says to the editor of the *Reformer* that, if the latter will retract certain unspecified statements made in that journal, and say that the *Reformer* intends to discuss matters connected with the Postal Service on actual official data, he will be glad to furnish that paper with *any information at his command*.

I think you will see that these statements are not consistent, and before publishing this correspondence I respectfully submit it for such consideration as it may seem to you to deserve.

Very respectfully,

WM. DUDLEY FOULKE.

EXECUTIVE MANSION, WASHINGTON, March 19, 1890.

Hon. WM. D. FOULKE, Washington, D.C.:

My dear Mr. Foulke,—The President directs me to acknowledge the receipt of your letter of the 17th inst., with the accompanying copies of correspondence.

Very truly yours,

E. W. HALFORD, *Private Secretary*.

Your committee is of the opinion that the lists of postmasters removed and appointed ought to be a public record,—that any person dealing with the department should have the right to know who is the lawfully commissioned officer, when he was appointed, and when his term would expire, and ought not to be required to establish a special interest before being permitted to inspect this list, any more than if it were the record of a court of justice or of a legislative body. If the Postmaster-General has the discretionary right to refuse such inspection, the exercise of this right cannot fail to incur the distrust of those who believe that the public service should be administered with such publicity as not to shrink from examination.

The past numbers of the Daily Bulletin issued to the press had become scattered and lost before your committee was appointed; and it is impossible thus to obtain a complete official list of the changes made, especially in relation to fourth-class post-offices. The results of our inquiries will perhaps show why the Postmaster-General considered it necessary to refuse access to this information. The mere number of such removals (which the department offered to furnish) would of itself throw no light upon the motives for which they were made; and without the names of the offices, of the men removed, and of the new appointees, it would be manifestly impossible for us to obtain information of value. We have, however, been able to obtain this information, so far as the changes in presidential post-offices are concerned, in other ways; and, if it is not derived wholly from the Postmaster-General's own lists, it is because he declined to furnish it.

A partial enumeration of the changes in presidential offices, those made between March 4 and July 1, 1889, had been already given in the report of the Postmaster-General for 1889. It is as follows (see p. 19):—

By deaths,	24
By resignations,	176
By expirations,	105
By offices becoming presidential,	119
By removals for various reasons,	136
Total,	560

And the report says of these removals, "55 were removed upon inspectors' and other official reports, 23 others had served over four years, 22 others had an average service of nearly four years, and the remaining 36 were removed to secure a better service." This report reveals a curious system resorted to in the Post-office Department to explain removals. In the first place, changes made by resignations and by expirations of terms are excluded before these removals are counted. Then we are told that among the men removed 23 had served over four years (although the term for which they were commissioned had not expired), and "22 others had an *average* service of *nearly four years*." This is certainly a peculiar reason for the removal of an efficient postmaster before the expiration of his term.

If A, B, C, and D are four unexceptionable postmasters, and A has been in office two years, and B, C, and D have been in three years and eleven months, this will give an average term of "nearly four years"; but it is a rather poor reason for the removal of even B, C, and D, to say nothing of A, who has served only two years, and whose average is thus extended by this involuntary companionship. There is no claim that these men are removed for improper conduct, nor even to secure a better service; for these classes are specially mentioned. According to the Postmaster-General's report, each of these removals appears to be without other reason than the iniquity of serving an average term with some other unknown person of "nearly four years."

But the statements in this report go further: "55 were removed upon inspectors' and other official reports," while "the remaining 36 were removed to secure a better service." It thus appears that as to this remainder there were no official reports in reference to the good of the service; and the information upon this point must have come from unofficial sources. We shall examine hereafter somewhat in detail the character of such information and the way in which these removals were made.

The nominations to presidential post-offices are sent by the President to the Senate, and appear scattered through the records of Congress. An examination of these records has enabled us to ascertain the changes in these offices with substantial accuracy. The changes in presidential offices made during the first year, as given by Mr. Clarkson, First Assistant Postmaster-General, are as follows:—

1. On deaths,	48
2. On resignations,	374
3. On expirations,	521
4. On offices becoming presidential,	227
5. Removals,	
A. On inspectors' and other government officials' reports,	298
B. Upon expiration of four years' service and second commission not yet expired,	201
C. Upon undoubted evidences of mismanagement, without reports,	114 613
Total,	1,783

The entire number of presidential postmasters, according to the report of the Postmaster-General on July 1, 1889, was 2,662 (see p. 12). 227 offices became presidential between March 4th, 1889, and March 4th, 1890, according to Mr. Clarkson's statement above. Of these, 119 had become presidential on July 1st, 1889, according to the Postmaster-General's report above referred to. 108 offices therefore became presidential after July 1st, 1889, and before March 4th, 1890, making the total number of presidential offices on March 4th, 1890, 2,270. It is thus shown that over 64 *per cent.* of these officers *were changed during the first year of the present administration.* The statement made by the Post-office Department, however, indicates that only 613 of such changes, or about 23 per cent., have been made by the *removal* of the incumbents, and that the remaining changes have been upon deaths, resignations, expirations of terms, and upon the respective offices becoming presidential. It will be noticed that the number of changes owing to the death of the incumbent is only 48. The changes on account of the offices becoming presidential are in their nature very similar to removals, since there would appear to be no better reason why an efficient fourth-class postmaster should be displaced, when the business of his office increases so as to make it presidential, than why the same change should be made if the office had always been presidential. If such change is made for political reasons merely, it is equally a violation of the promise that "fidelity and efficiency" should be "the only sure tenure of office."

We determined, however, in view of the graver evils resulting from changes made during the incumbents' four years' term, to

confine our attention to the more important cases of resignations and removals, and to ascertain,—

1st. Whether the alleged resignations were voluntary or were made under pressure for political reasons; and

2d. Whether the removals were, as alleged in the above statements of the Postmaster-General and First Assistant Postmaster-General, made upon official reports and upon other undoubted evidences of mismanagement and “for the good of the service,” or whether these terms were used as a cloak to cover removals made for political reasons.

Your committee, therefore, addressed to each postmaster removed or resigned, as well as to his successor, a communication calling for the facts regarding the change. The following was addressed to the postmaster removed or resigned:—

Dear Sir,— We understand that you were displaced from the office of _____ on the _____ day of _____. Would you be willing to state to this committee the circumstances of this change?

1st. Were any causes assigned for it? if so, what were they, and by whom assigned? If you resigned, was your resignation requested or suggested? if so, by whom? If in writing, will you kindly enclose a copy?

2d. By whom were you succeeded?

3d. To what political party do you belong? To what party does your successor belong?

4th. What political services did you render while in office? What position, if any, did you hold in your party organization? Were you connected with any newspaper? if so, give its name.

5th. What political services, if any, did your successor render in the last campaign or previously? What position, if any, did he hold in the party organization to which he belonged? Was he connected with any newspaper? if so, give the name of such paper.

6th. Do you know upon whose recommendation or influence, if any, you were displaced or your successor appointed?

7th. Give any facts known to you regarding the motive or reasons for your displacement and his appointment.

8th. When did your term of office expire?

9th. Please state as specifically as possible any facts you know regarding the efficiency of the administration of the office before and since your removal.

10th. Who was your predecessor, and how long had he held office?

11th. When were you appointed?

When the answer to such communication was received, we embodied the substance of such answer in a letter to the new appointee, with the request that if in any respect the information was incorrect, or he desired to add any other facts in reference to the change, he would communicate the same to your committee. In all cases where the postmaster removed or resigned did not answer our inquiries, the appointee was addressed in the following letter:—

Dear Sir,— We understand you were appointed to the office of _____ on the _____ day of _____, in the place of _____

Previous to your appointment, had you any experience in the duties of the office? if so, what was it?

What political claims, if any, had you upon the office?

Did you take part in the last campaign? What position did you hold in the party organization, if any? Are you a member of the Republican party? Were you connected with any newspaper (if so, what was it? and in what capacity?)

Upon whose recommendation or influence was the appointment made? What were the circumstances which led to your appointment?

When did your predecessor's term of office terminate?

In thus getting information from both sides, and giving both postmasters a chance to be heard, we believed that we would arrive at the truth as nearly as it was possible to do so by written correspondence. The answers to these communications were filed, tabulated, and classified; and from these answers we are enabled to report, it is believed, with substantial accuracy in regard to the system pursued. We made these inquiries in 927 cases, 574 being removals and 353 resignations. We received answers in 558 cases (a little more than 60 per cent. of the whole number concerning which inquiry was made), giving more or less fully the information asked for. In 321 of these cases the answers came from the postmasters removed or resigned, in 90 cases from the successor only, and in 147 cases from both. Shortly after we commenced addressing inquiries to the new appointees, First Assistant Postmaster-General Clarkson, in an interview sent through the Associated Press to all the leading papers in the country, said:—

We are receiving letters from newly appointed postmasters who have been addressed in this way. The inquiries sent out, in

every instance that I have seen, show that the case has been prejudged and the change made assumed to be wrong. It is evidently an effort to get statements from removed and disappointed officials for political use, and some of the letters show an intention to try to induce the new postmaster to make statements of defence where no defence is needed. The postmasters seem to realize that they have reports to make only to their superior officers. No political capital can be made out of these changes. The President has made no removals except for cause,—for delinquency in official duties, inefficiency of service, or violation of law. He has refused to make any changes for partisan reasons. Changes made for cause have been on the reports of inspectors, showing a demand for the change in the interest of the public service.

It is hardly necessary to say that, if the First Assistant Postmaster-General had desired to convey to these appointees an intimation that they were not to answer these inquiries, or, if they did answer, what the tenor of the answer should be, he could not well have used words more aptly chosen for the purpose.

RESIGNATIONS.

We received answers in 143 cases to our inquiries as to resignations. In 95 of these it appeared that such resignations were voluntary, and in 48 cases that they were not voluntary, but were requested by the Congressman of the district or by other influential parties, who were believed to have the disposal of the office in their hands. In some cases, inducements were offered in the shape of a postponement of the time for the change or an offer by the proposed successor to pay a good price for the fixtures of the office when the appointment should be made; and sometimes the resignation was procured by threats of immediate removal. Among the instances of such resignations, we would call attention to the following letters from J. P. Dolliver, M.C., to Patrick Cain, postmaster at Fort Dodge, Ia., written ten days after the inauguration of President Harrison :—

HOUSE OF REPRESENTATIVES UNITED STATES,
WASHINGTON, D.C., March 14, 1889.

Mr. P. CAIN, Fort Dodge, Ia. :

Dear Sir,—Will you have the kindness to forward to me, to be filed in the department, your resignation as postmaster at Fort Dodge, to take effect on the appointment of your successor?

Very truly,

J. P. DOLLIVER.

P.S.—If this is done, your successor will not be named till July 1.

J. P. D.

HOUSE OF REPRESENTATIVES UNITED STATES,
WASHINGTON, D.C., April 4, 1889.

Mr. P. CAIN, Fort Dodge, Ia. :

Dear Sir,— Your letter enclosing your resignation as postmaster at Fort Dodge, to take effect July 1, is received. I thank you for the promptness and willingness with which you have decided to lay down the cares of an office on the change of administration.

Hoping you may be as successful in your future political moves as you have been in the past,

I am yours very truly,

J. P. DOLLIVER.

The following letter from M. S. Brewer, M.C., to Charles Cowan, postmaster at Ovid, Mich., speaks for itself:—

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
PONTIAC, April 18, 1889.

CHARLES COWAN, Esq., Ovid, Mich. :

My dear Sir,— Your letter of the 17th duly received, and contents noted. My dear fellow, you last fall were a very "offensive partisan": in fact, it was the worst case of that fatal malady that I had knowledge of in this district. *I feel it my duty to have a change made* in postmaster at your place as soon as convenient. There will be many cases in presidential offices where *I shall feel perfectly willing to let the applicants* hold their time out; but in your case you seemed to stake your political or rather your official life on the result of the election, and the tide of fortune moved against you. I have no personal or revengeful feeling in the matter, but deem it my duty to do what I can to make the change suggested. I am in no great hurry about the matter, and do not wish to oppress you in any way. Permit me to suggest that, if you will place your resignation in my hands to take effect at the close of the present quarter, the 30th of June, *I will arrange it that you can hold on till then.* I simply make this suggestion for your consideration. I shall start for Washington to-morrow night, and would be glad to know about the matter before leaving.

I am truly yours,

M. S. BREWER.

P.S.— This will be kept confidential, should you wish it.

(The Italics in all the letters in this report are ours.) The postmaster resigned.

The following is the correspondence between George W. Andrews, former postmaster at Murphysboro, Ill., and George W. Smith, M.C.:—

1922 H STREET, N.W., WASHINGTON, D.C., May 20, 1889.
 Hon. GEORGE W. ANDREWS, Murphysboro, Ill. :

Friend Andrews.—So far, I believe, your conduct and mine has been in keeping with the friendly relations existing between us. Circumstances now are such that I am compelled to act a little earlier than anticipated in reference to the post-office at Murphysboro. Your conduct towards me has been manly, gentlemanly, and honorable. The favor will not be forgotten. By your voluntary resignation, placed confidentially in my hands, you placed me in a position to favor a political opponent and a personal friend. I have carefully guarded your future as I would wish you to guard mine. Matters have arisen, personal to myself, which absolutely demand immediate action on my part. Those matters I cannot make public. I desire to have the appointment of a postmaster at Murphysboro at once. In the nature of things, you know it will be several days after an appointment is made before the office could possibly change hands. On receipt of this, wire me at my expense O.K., and I will at once settle the matter. Do not ask the reason for such a request, as you can as a politician readily account for it in various ways. Your record will be clear. Treat this communication in the same manner you would wish such a one from yourself to be treated. Wire immediately on receipt of this. On receipt of such despatch I will understand that your resignation already sent me, which by its term was to take effect July 30, is, by your consent, to take effect immediately.

It is raining very hard here. In fact, it rains about one-half the time. With kindest regards, believe me, very truly,

Your friend,

GEORGE W. SMITH.

Copy of telegram.

May 23, 1889.

TO G. W. SMITH,
 1922 H Street, N.W.,
 Washington, D.C.

You have my permission to O.K. it, if desired.

G. W. ANDREWS.

J. P. Gaspar, postmaster at Kingsley, Ia., resigned on Jan. 30, 1890. The circumstances leading to his resignation are clearly shown in the correspondence between him and J. S. Struble, M.C., of which he has sent us the following copy:—

LE MARS, IA., Aug. 26, 1889.

PETER GASPAR, Esq., Kingsley, Ia. :

Dear Sir,—Within the last eight or ten days such movements have been made in relation to the Kingsley post-office as convinces

me that it will be wise for you to look the inevitable in the face and prepare for a change. If you see proper to tender your resignation quietly, I will forward the same without recommendation, thus leaving you to be the apparent mover in the case, and willingly surrender the office *you have so acceptably filled* during your term.

One other potent feature in the case is the fact, as I am advised, that the parties in whose store the office has been, and is now kept, are defendants in a case brought by one of the highest authorities in the State to enjoin them from selling liquors unlawfully. This, as you can see, gives me good ground to recommend your removal. I prefer, however, that you should resign, if you desire to do so, rather than to recommend your removal. Let me hear from you by return mail, and believe me,

Yours very truly,

I. S. STRUBLE.

Of this Mr. Gaspar writes us :—

My reply to Struble was, in substance, that I would like to know the cause of my proposed removal (in justice to myself), and would rest the case (on my part) with the Republican patrons of this office.

Here is Mr. Struble's second letter :—

LE MARS, IA., Aug. 31, 1889.

J. P. GASPAR, Esq.:

Dear Sir,—Replying to your favor of the 28th inst., will say that as yet I am not prepared to advise you upon what ground your removal may be recommended. It has not been decided to recommend; but action in that direction is quite probable at an early date.

Am strongly of the opinion that it would be better all round, and be just as well for you upon any substantial point, if you tender your resignation rather than have charges preferred against you, as I am informed there will be soon.

Yours truly,

I. S. STRUBLE.

Copy of letter written to one John McIntosh :—

LE MARS, IA., Aug. 30, 1889.

JOHN MCINTOSH, Esq., Kingsley, Ia.:

Dear Sir,—I am in receipt of yours of the 28th inst., replying to which I will say that it only adds to my embarrassment, already sufficient by reason of having to choose between Republican applicants for post-office, to be informed that some of my Republican friends in and about Kingsley are desirous of having the present post-master retained, and especially if such friends will allow themselves to become to any considerable extent concerned in the matter. The line on which I have acted is this,—to make no move myself with a view to having Democratic post-office incumbents displaced by Re-

publicans until such time as the Republican patrons of the office should themselves lead off in attempts to have a removal and a new appointment, or four years from appointment had expired. This has been my position in relation to the Kingsley office; and I have kept quiet about it until a number of Republicans became active in the matter, and evinced a strong desire that a change might occur.

My opinion, after some experience about these post-office matters, is that, when Republican patrons to any considerable extent begin to act relative to a change, the sooner thereafter the case can be disposed of, on a basis of the expression of the Republican patrons, the better for the party and community; and so I feel now in relation to the Kingsley case. The sooner a new man is appointed there, the sooner the community will recover from the agitation and possible excitement in relation to the appointment of the most important official of the town. I wish the Republican patrons of the Kingsley post-office, however they may appreciate Mr. Gaspar, might take a sensible view of the situation, and come as near as possible uniting in the thought of an early disposition of the case in the interest of the party and the peace of the community in that part of the country. It is my understanding that substantial charges will be preferred against Mr. Gaspar; and, if such shall be sent to me, I will, according to my uniform custom in such cases, consider them, and make such indorsement thereon as may at the time seem right. *If no formal charges are preferred, I shall within a comparatively short time decide between the applicants, and recommend the one who, in my opinion, has the greatest weight of Republican sentiment in his support*, not being governed by number merely. This is my feeling now, supported, as it is, by the strong belief, based, as I have indicated, on some experience, that the most satisfactory way out of a post-office controversy is as early a decision in the case as can intelligently be reached upon consultation with the Republican patrons. Shall be pleased to hear from you on this or any other subject at any time or to meet you personally.

Yours truly,

I. S. STRUBLE.

James S. Catherwood, former postmaster at Hoopeston, Ill., writes that "Joseph G. Cannon [M.C.] was here looking for a cause to remove me. I tendered my resignation on condition that they would buy the fixtures." Charles W. Warner, the new appointee, writes: "Catherwood, knowing he had only six months to serve, was anxious to sell his outfit to some responsible Republican successor. Mr. Cannon (M.C.) called an election. There were six candidates. I received one hundred and fifty-eight out of three hundred and ninety-one votes. Catherwood thereupon resigned, and I was appointed."

Another method is shown by a letter from Mr. Frank C. Morse, the postmaster appointed by the present administration at Colfax, Wash. He says:—

The history of the matter is this. Mr. Berry was sheriff of this county and a candidate for re-election. Being defeated at the polls, he circulated a petition asking his appointment as postmaster. Five days before his term of office expired, Mr. Berry started to Washington with his petition, taking the resignation of Mr. La Rue (the former postmaster) with him. How he obtained this resignation I do not know; but I was afterward shown a copy of a contract made between Mr. Berry and Mr. La Rue, in which Mr. Berry agreed to pay Mr. La Rue \$1,000 for the office fixtures in case Mr. Berry should be appointed postmaster, and I have always believed this procured the resignation. All this occurred before I had taken any steps toward securing the appointment. In fact, I knew nothing of Mr. La Rue's intended resignation; nor did I know that Mr. Berry had started for Washington until he was gone some four days, the whole matter being kept as secret as possible. As soon as it was learned that Mr. La Rue had resigned, Mr. Fullerton and others of my friends circulated a petition asking for my appointment. Mr. Fullerton procured a second resignation from Mr. La Rue; and my petition, Mr. La Rue's resignation, and a copy of the contract above mentioned were sent to Mr. Allen [John B. Allen, then M.C.] and my appointment as postmaster followed in due course of time.

W. N. Hensley, former postmaster at Columbus, Neb., and now County Judge of Platt County, informs us that he was told on various occasions by the leaders of the Republican party that he would be removed, first in May, 1889, and again in July, and finally by the confidential political advisers of Mr. Dorsey (the Republican Congressman of the district), that his removal would be ordered about the first of September, and that charges would be preferred against him. He says that, upon request, he was permitted to see such charges, and found same to be that he was appointed to the office for political services rendered his party, and for no other reason. These charges were signed by the man who became his successor and a few others. He says, "I was led to believe that my removal was only a question of a very short time, unless I resigned."

The statement made by Carl Kramer, the present postmaster, is: "Mr. Hensley resigned because he knew *he could get a better price for his fixtures then than at the end of his term*, and mainly because he wanted to enter at once the race for county judge." Mr. Kramer

does not deny or qualify the statement as to the charges made by him for his predecessor's removal.

Mr. W. T. McGinness, postmaster at Minden, Neb., says: "Why I resigned was because W. D. Hart (my successor) had everything his own way. It was 'take so much, and resign at once, or I will not take your outfit.' I was too poor a man not to accept." A letter of inquiry from the committee to Mr. Hart failed to elicit an answer.

From such instances as the above, the conclusion is obvious that many of these so-called resignations were not such in fact, but that the changes thus made were, in spirit and essence, removals for political purposes.

Respectfully submitted,

WM. D. FOULKE, *Chairman.*

CHAS. J. BONAPARTE.

RICHARD H. DANA.

WAYNE MACVEAGH.

SHERMAN S. ROGERS.

REMOVALS UPON SECRET CHARGES.

FOURTH REPORT OF THE SPECIAL COMMITTEE OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

*To the Executive Committee of the National Civil Service Reform
League:*

Your special committee appointed to inquire into the condition of the federal service and the operation of the reform law would respectfully submit the following report as to the system of removals of presidential postmasters upon secret charges:—

Out of 356 answers received to our questions whether or not any cause for the removal was given to the man removed, it appeared that in only 47 cases was such cause assigned, in 10 cases the matter was disputed, and in 299 cases it appeared, from uncontradicted statements, that the incumbent was removed without any cause being given for his removal. In a very large number of cases he solicited information from the Post-office Department as to the character of the charges; but this information was almost invariably refused. If he ever learned what the charges were, he learned it by private inquiry from other sources, generally from hearsay and rumor merely. In many instances the new appointee, in answer to our inquiry as to the causes of the removal, while declining to state these causes himself, refers us to written charges on file in the department. As Mr. Wanamaker tell us that "all papers in appointment cases have invariably been deemed privileged and confidential with the department," and as the postmasters themselves are refused access to the charges upon which they are removed, but little can be done to lift the veil which conceals these secret accusations.

The following instances are submitted:—

William Wilson writes in regard to his removal from the post-office at Chadron, Neb.:

I immediately wrote President Harrison that I only asked the privilege and right of an American citizen,—that is, to defend myself; that, if there were any charges against me, I would like to have an opportunity to answer them. In reply I received the following (copy):—

“Mr. WILLIAM WILSON, Chadron, Neb.:

“*Dear Sir*,—The President directs me to acknowledge the receipt of your letter, and to inform you that it has been referred to the Hon. Postmaster-General, to whom all further communications upon the subject should be addressed.

“Very respectfully yours,

“ELIJAH W. HALFORD, *Private Secretary*.”

I was never able to hear from the Hon. Postmaster-General or any one else.

Jas. A. McKenna, postmaster at Long Island City, N.Y., was removed and no cause stated. On Sept. 6, 1889, he wrote to the First Assistant Postmaster-General as follows:—

UNITED STATES POST-OFFICE,
LONG ISLAND CITY, QUEENS COUNTY, STATE OF NEW YORK,

Sept. 6, 1889.

Hon. J. S. CLARKSON, First Assistant Postmaster-General, Washington, D.C.:

Dear Sir,—In the New York *Tribune* of August 27 there is quoted an interview with you, in which you are made to say that “the department was in constant receipt of complaints against Postmaster McKenna, some of them being of a serious character, and clearly proving careless management of the office.”

Inasmuch as the President has seen fit to remove me from my position as postmaster of Long Island City, these charges will be a serious injury and drawback to me in any business I may now be obliged to take up, and, as I am not conscious of any dereliction of duty, I respectfully request that I may be allowed to inspect the charges referred to, or may be allowed to have a copy thereof, in order that I may submit an answer to the same, not hoping for retention in office, but to clear my future from a cloud that might otherwise rest over it. I have never heard of any charges against me, except as stated in the above interview; and I assume it is not the intention or desire of the President to have me leave my office under unfounded charges.

Very respectfully,

JAS. A. MCKENNA, *Postmaster L.I. City*.

The only answer he ever received to his communication was the letter of which the following copy was sent to us :—

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
WASHINGTON, Sept. 7, 1889.

Dear Sir,—In the absence of the First Assistant Postmaster-General, I have the honor to acknowledge your letter of the 6th inst., which will receive his attention on his return, in about a week.

Respectfully yours,

COKER CLARKSON, *Private Secretary*.

JAS. A. MCKENNA, Esq., Postmaster, Long Island City, N.Y.

Elijah Ratnour, former postmaster of Weeping Water, Neb., wrote to the Assistant Postmaster-General asking the cause of his removal of which he had not been informed. The following is sent to us by him as a copy of the answer received :—

Yours of Nov. 23, 1889, received, asking the cause of your removal. When your successor receives his commission, turn the office over to him without further notice.

Yours truly,

J. S. CLARKSON, *First Assistant P.G.*

Mr. Butler, his successor, informs us that the causes assigned for Mr. Ratnour's removal "are on file with the President."

Jacob Van Riper was postmaster at Rutherford, N.J. He was removed, and wrote to the President asking what charges, if any, had been preferred against him. The receipt of his letter was acknowledged by the President's private secretary on July 10, 1889, and he was informed that it had been referred to the Postmaster-General. He obtained no further information as to the cause of his removal.

Henry S. Farnum was removed from the post-office at Uxbridge, Mass., on Nov. 20, 1889, as he understood, upon the report of Inspector Stoddard, and his successor, Crysis T. Scott, was appointed by recommendation of Congressman Walker. Judge A. A. Putnam wrote to the Postmaster-General as follows : "I do very respectfully request of the department that Mr. Farnum be permitted to know for what specific cause or causes his removal from office was recommended, and, to the end that justice be done him and the state of facts bearing upon the matter of his removal be made apparent to the people of this town, he should be permitted to meet whatever

charges may have been made impugning his integrity or competency." No information was furnished.

D. W. Pratt, postmaster at Farmington, Me., removed Dec. 18, 1889, writes: "I wrote the Postmaster-General last December, asking him what law I had violated. He acknowledged the receipt of my letter, but has never answered it."

Harry C. Evans was removed as postmaster at Bloomfield, Ia., and, when Congressman Walter I. Hayes inquired on his behalf the reasons for the removal, an answer is returned of which Mr. Evans sends us the following copy:—

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
WASHINGTON, D.C., Feb. 3, 1890.

My dear Sir,—In response to your letter of January 30, asking to, be advised "what, if any, charges were made against H. C. Evans, late postmaster at Bloomfield, Ia., as basis of his removal," I would say that the change was made on statements of reliable people in Bloomfield for the improvement of the postal service. It seemed a pretty clear case; and I would be glad to send you the statements, *except that they were made by private citizens and in a confidential manner.* The fact that Mr. A. H. Fortune, previous postmaster in the same city, was removed by President Cleveland before the expiration of his term, no doubt had something to do with the eagerness of the Republicans in Bloomfield to replace Mr. Evans with a Republican postmaster. I know personally the persons making the complaints, and was satisfied of the truth of their statements; and I presume it was largely on my assurance as to the sufficiency of these statements that the almost invariable rule adopted by the present administration of sending an inspector to verify such statements was not followed in this case.

Very truly yours,

J. S. CLARKSON, *F. A. Postmaster-General.*

Hon. WALTER I. HAYES, M.C., Washington D.C.

A. H. W. Carpenter, postmaster at New Bedford, Mass., addressed to the Postmaster-General the following letter:—

NEW BEDFORD, MASS., April 26, 1889.

Sir,—Having learned through Mr. L. Le B. Holmes that I have been removed from the office of postmaster upon charges of incompetency and inefficiency, made by Pay Director Gilbert E. Thornton, United States Navy, and indorsed by Hon. Charles S. Randall, and realizing that there is no just ground for such a charge, I would

most respectfully ask that the Post-office Department make a thorough investigation of the case, that I may have an opportunity to exonerate myself.

Very respectfully,

A. W. CARPENTER.

Hon. JNO. WANAMAKER, P. M. G., Washington, D.C.

But he failed to obtain this opportunity. He writes to your committee as follows in respect to his knowledge of the cause of his removal:—

One day Mr. Gilbert E. Thornton, Pay Director in the Navy, called at the post-office and demanded that his letters should be given to him as soon as the mail arrived in the morning; *i.e.*, that the mail should be gone through with, and his letters given to him before the other patrons of the office were served. Now the morning mail brings to this office from two thousand to four thousand letters daily, and I have known it to go as high as fifty-five hundred.

There are usually from fifty to sixty people in the lobby upon the arrival of the morning mail, waiting for their letters to be boxed. I told Mr. Thornton I could not go through the mail and select his letters before serving the rest of the patrons, but that as soon as the mail reached the office it would be distributed as quickly as it was possible to do it, and then he should have his mail.

Mr. L. Le B. Holmes, of the law firm of Stetson & Green of this city, called upon the Postmaster-General, who told him I was removed upon charges of incompetency preferred by an officer of the Navy, indorsed by Charles S. Randall, Representative in Congress from this district. He declined to let Mr. Holmes see the charges, but I learned afterwards that the charge made by Mr. Thornton was inefficiency in not handling his mail properly when he was in New Bedford, the same being government business. I know of no other charges that were brought against me.

Mr. L. Le B. Holmes, who was a member of the Republican City Committee of New Bedford, wrote as follows to the Postmaster-General in respect to his refusal to investigate this removal: "The investigation asked for would have fully shown all that I represented to you, and the groundlessness of the charges against Mr. Carpenter.

"Yet the investigation requested was not granted, obviously because the department did not regard it important to ascertain the truth or falsity of the charges upon which it had removed Mr. Carpenter.

"As a Republican who has witnessed the whole transaction, I ought to and do feel humiliated. It is a revelation as to the conduct of the administration of my own party.

"Its platform and the letter of acceptance of President Harrison distinctly promised that should not be done which I have seen done

here with my own eyes. Nor is that even fairly stating it. Not only has an honest and efficient public officer been dismissed from the service on a charge of incompetency, but he has been turned out of office under a cloud, and denied even the opportunity of proving the utter falsity of such a charge.

"If this is the spirit of civil service reform, civil service reform should be denounced by all honest men. The old way of removing an official because he was not of our party was more honest and decent."

A letter addressed to the new postmaster, and answered by him, failed to elicit any other or different statement of the facts concerning this removal.

William H. Greenhow, removed from the office of postmaster at Hornellsville, N.Y., addressed the Post-office Department on the 3d of December, 1889, asking if any charges had been filed against his management of the office. He received the following answer:—

WASHINGTON, D.C., Dec. 6, 1889.

Sir,—Yours of the 3d inst. relative to charges against the management of the post-office at Hornellsville, Steuben County, N.Y., and requesting a copy of same, has been received and placed upon the files of this office. In reply, I beg to inform you that it is not the custom of the department to furnish postmasters with copies of charges against them, except in cases provided by Section 25, page 727, of the "Official Postal Guide" for 1889.

Very respectfully,

J. S. CLARKSON, *F. A. Postmaster-General*.

[The section referred to is found among "Suggestions to the Public on Postal Subjects," and contains the following: "Copies of papers on the files of the department will not be furnished on the application of individuals except in cases where a suit is commenced and pending, involving the substance of the paper or document itself, and then only on the certificate of counsel showing that such papers or documents are material as evidence in the trial or preparation for trial of the cause, and stating wherein such materiality consists, with such other proof of materiality as may be required by the Postmaster-General."]

It will thus be seen that by the rules of the department, as interpreted by Mr. Clarkson, no copies of charges can be furnished to the men whose removal is contemplated or perhaps already made.]

The following letter is from the Postmaster-General in regard to the cause of the removal of Mr. Langham as postmaster at Hawley:—

OFFICE OF THE POSTMASTER-GENERAL,
WASHINGTON, D.C., Feb. 1, 1890.

Sir,—In reply to your letter of the 29th ultimo, I have to advise you that, according to the best information received at the department, a change in the office of postmaster at Hawley, Pa., was made in the interest of better mail service.

Very respectfully,

JNO. WANAMAKER, *Postmaster-General*.

Mr. P. J. LANGHAM, Hawley, Pa.

James DeLaney was removed as postmaster at Orlando, Fla.; and, if any charges were made against his administration, he was unable to find out what they were. His successor, Mr. Ingram Fletcher, writes: "There were charges preferred against Mr. DeLaney by certain Republicans; but what they were I know not, as I never saw them. Mr. Charles E. Ferguson and I believe in civil service reform; and, feeling, like most every other citizen, that Mr. DeLaney had made an efficient officer, we asked that he be retained until his time expired, unless he had violated some postal law. Mr. Ferguson asked to see the charges, but they were not shown to him."

Mr. H. E. Bundy was removed from the post-office at Oneonta, N.Y., no notice was given him of any charges preferred, and he knew of none until his removal from office.

Mr. George E. Bachelder, the Post-office Inspector, who had inspected his office only a few weeks before the removal, writes to him a letter of which he sends us the following copy:—

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,

ALBANY, N.Y., June 2, 1889.

Mr. H. E. BUNDY, Oneonta, N.Y.:

Friend Bundy,—I am surprised that there is a change in postmaster at your post-office. Supposed you would stay as long as any one differing from the present administration.

You have my best wishes for success in whatever you venture, as I am sure, from the executive ability shown by you in the management of the post-office, you are entitled to success in any business that you undertake.

Yours respectfully,

GEORGE E. BACHELDER, *P.O.I.*

The tendency of political intrigues for appointments and removals to perpetuate themselves cannot be better illustrated than by the case of the post-office at Wyoming, Ill. In this case the incumbent was removed, and no cause assigned, so far as he knew. This fact being communicated to Augustus G. Hammond, his successor, Mr. Hammond answers that the cause was the manner in which Mr. Thomas secured his own appointment, being the result of a political intrigue. Now, if this proceeding is to be used in like manner against Mr. Hammond upon the next change of administration, it is pretty evident that the removals upon charges and counter-charges could go on indefinitely, and this quite without reference to the fact whether the office had been administered efficiently or not.

Mr. J. H. Middleton, former postmaster at West Hoboken, N.J., states that no cause was assigned for his removal : —

My successor was asked to make a charge, but answered, no charge could be made against me, as I ran the office to the satisfaction of the people.

To this his successor, Julius Klumpp, answered : —

I did not use my influence to have the said gentleman removed, or was asked to prefer charges, or that I said no charges could be made, as he ran the office to the satisfaction of the people. How could I say such a thing? Because we are aware and the good book says mankind is not infallible, consequently charges could always be made if required.

Your committee cannot too strongly express its reprobation of the continuance of this system of removals upon secret charges by unknown accusers without opportunity for defence, explanation, or denial. It is inquisitorial in its character, and totally inconsistent with republican institutions and with our present civilization. It encourages falsehood and slander, which are thus protected by the veil of official secrecy, and the confiscation of the office for the benefit of the informer completes the injustice. No efficient civil service can be procured until such a system is utterly overthrown. It leads to the appointment of the men who are the most unfit to carry on the business of the government, the slanderer and malinger receiving the place as a reward for his evil doings. This system could easily be abolished if the inspector of the department, previous to

the removal, should be required to acquaint the officer accused with the nature of the charge against him and hear what he had to say. If such a vast number of removals were not made for purely political reasons, this would not be by any means an impossible or even a difficult task. It is only because the energies of the department and of the instructors are exhausted in an improper and immoral effort to turn men out without cause for political reasons that they might find it difficult to give the necessary time to an investigation of charges, where publicity would be some guarantee that they were honestly made.

It would be just as absurd to expect a judge to decide a case properly when he heard nothing but the plaintiff's statement as to expect removals to be properly made under such a system as this. Your committee is of the opinion that there is no evil in the spoils system as inherently wicked as this, whereby both the livelihood and reputation of innocent men are liable to be overthrown by secret and false accusations.

In connection with these removals upon secret charges, it may be well to recall the expressions made by Mr. Harrison in the Senate upon this subject in his speech of March 26, 1886, as reported in the *Congressional Record*, vol. 7, No. 3, page 2790 *et seq.* In reference to Executive nominations then pending in the Senate, he said :—

Let me say now that, if the prompt and just demand which was made in many cases by the incumbents of these offices, when they were suspended under charges, to be advised of the character of those charges and to have an opportunity, however little it might influence the mind of the Executive, to place on file their ample refutation of the slanders and lies that had crept into the departments against them,—if that demand had been allowed, I must believe that most of the cases that are held up before the Senate would have been withdrawn or have gone through. . . .

In many of these cases, it leaked out in the community where the officer resided that charges had been filed against him. Some base fellows had been used for that unholy office; and, being advised that charges had been sent, the appeal was made to heads of the different departments, and, I believe, in many cases to the President himself, to be advised of the character of the charges made. . . . Here was an accusation, a hearing, a sentence, and an execution without the accused being advised of the character of the charges against him. . . .

What is it these people ask? An honorable discharge after honorable service. That is all. They ask that they may go out of the offices, to the duties of which they have devoted themselves with conscientious fidelity, with an honorable discharge. . . .

As I shall show presently, Democratic newspapers and many Democratic Congressmen do not approve of the policy that stimulates and invites charges against the characters of men and women and hides these charges from the light of day. That is the issue; and, great as the constitutional questions involved here may be, it is practically a greater question whether this government in its civil service shall be administered as in the Star Chamber, where accusations may be lodged and heard and decided without the knowledge of the man whose interests are to be affected and whose character is to be blackened. . . . Will you unite here in support of a proposition which denies to a Republican removed knowledge of the charges filed against him in a public department of this government? . . . My colleague (Mr. Vorhees) arraigned the Senate because, he said, we were condemning the Attorney-General unheard. . . . What does he think, then, of these trials that have been going on from day to day in the secrecy of the Postmaster-General's office, with closed doors? These charges, by the thousand, are piled upon his table, and he assorts them over; and, without letting the persons accused know or have any intimation that they are accused at all, he deprives them of office and, so far as such a judgment can, of their good reputation. . . .

My colleague said yesterday that the first feeling of the masses was for fair play. . . . Does he think this is fair play? In every Anglo-Saxon heart, and especially in the Western heart, among the frontiersmen, who always believed in a fair fight, there is that imbedded sense of justice and fair play which resents and denounces these unfair methods.

Mr. Harrison quotes with approval the following extract from the *Freeman*, an independent paper at Indianapolis: —

A place is wanted for a camp-follower. Of course, it must be forthcoming. But Vilas has said that no one will be removed unless charges be preferred. So some convict or gutter-snipe is hired to blacken the character of the man who is unfortunate enough to hold the coveted place. When he is bounced, he tries to find out what is the reason for it; and he is told that he cannot be allowed to see the charges or to be faced by his accuser. He goes out under a cloud of suspicion. We say this is outrageous. It is one of the fundamental rules of Anglo-Saxon liberty that every man shall be entitled to a fair trial. And this swearing away the character of American citizens cannot be apologized for by the warmest friend of the administration.

Mr. Harrison then referred to the case of the postmaster at Shelbyville, as follows:—

Last summer he was suspended from office. It was understood through the town that some charges had been presented against him. The men who made them did not disclose themselves, and he could gather at home no intimation as to their character. Whether they affected his personal integrity, whether they charged a mal-administration of the office, or whether he was simply charged with being a Republican, he could not tell. He sat down and addressed the Postmaster-General a letter, asking in the most respectful way to be advised of the character of the charges against him. He got no answer. Need I add that? Who did get an answer? Failing to get an answer from the Postmaster-General, he addressed me this letter [here Mr. Harrison quotes the letter, asking for a copy of the charges preferred against him, and says]: Upon that letter I wrote on the ninth day of July, 1885, this indorsement: "Respectfully referred to the Honorable Postmaster-General. I hope you will not deny the request of Mr. Bone to be advised of the character of any charges filed against him, and to have an opportunity to meet them. The slip he encloses from the Democratic newspaper shows how good an officer he has made; and his good civil record, with a long gallant service in the war for the Union, entitles him, I think, to a favorable consideration of his request," and adds: Not only this soldier's appeal to know, but my appeal in his behalf, went unanswered from the post-office, and remain unanswered to this day. I want to know if there is a Democratic Senator here who approves of that sort of treatment of a citizen. I want to know if there is one who, much more, approves of that sort of treatment of a man who for four years fought for his country in the hour of its pressing danger. If the Democratic party means to unite upon this issue and in defence of these practices, then I welcome the issue.

Mr. Harrison then cites the case of Isabelle De la Hunt, somewhat similar in character, as well as a number of others, and says:

I do lift up a hearty prayer that we may never have a President who will not pursue and compel his cabinet officers to pursue a civil service policy pure and simple upon a just basis, allowing men accused to be heard, and deciding against them only upon competent proof and fairly,—either have that kind of a civil service or, for God's sake, let us have that other frank and bold, if brutal, method of turning men and women out simply for political opinion. Let us have one or the other. They will not mingle. It was the conflict of these currents—the President on one side, endeavoring to be responsive to his self-imposed pledges, and the pressure of his party on the other—that has driven those who were at the heads of the

departments, in the attempt to preserve and maintain the President's professions and at the same time to give to the hungry who were demanding to be fed,—it was an attempt to reconcile the irreconcilable that has brought this wretched condition of things in which men and women are condemned without a hearing. Let us have one or the other, pure and simple.

It seems incredible that the administration of the man who uttered these words should perpetuate this system of removals upon secret charges. Yet such is the fact.

Your committee concur most heartily with the expressions quoted above. They furnish the best standard of criticism possible of the system of removals which is still practised in the Post-office Department. It can never be unjust to the President to judge him by his own standard of duty, by his own conceptions of justice and fair play. The fittest condemnation of his own acts is found in his own words. Nor will it do to shift the responsibility from the chief Executive to the heads of these departments. Mr. Harrison has told us why it cannot be so evaded: "I do lift up a hearty prayer that we may never have a President who will not either pursue or *compel his cabinet officers to pursue* a civil service policy pure and simple, . . . or," etc. It is not the Postmaster-General and his First Assistant who, in the last analysis, are responsible. It is the President, who appointed Wanamaker and Clarkson, and who permitted these things to be.

Respectfully submitted,

WM. DUDLEY FOULKE, *Chairman.*

CHAS. J. BONAPARTE.

RICHARD H. DANA.

WAYNE MACVEAGH.

SHERMAN S. ROGERS.

POLITICAL CHANGES IN PRESIDENTIAL POST-OFFICES.

FIFTH REPORT OF THE SPECIAL COMMITTEE OF THE NATIONAL
CIVIL SERVICE REFORM LEAGUE.

To the Executive Committee of the National Civil Service Reform League :

Your special committee appointed to inquire into the condition of the federal service and the operation of the reform law would respectfully report as follows in regard to the political character of the changes made in presidential post-offices :—

Our questions in regard to the politics of the postmasters removed and those appointed elicited the following results : Out of 437 answers received in which the information was given upon this point, it appears that in 427 cases the postmaster removed or resigned was a Democrat, in 1 case a Prohibitionist, in 1 an Independent, and in 2 cases, the incumbents being women, it was stated that they belonged to no political party. There were 3 resignations and 3 removals of Republicans. From 513 answers received regarding the politics of the postmasters appointed, it appeared that 510 were Republicans, 1 was a Knight of Labor, 1 an Independent, and 1 a Democrat. The Democrat was Samuel P. Burris, of Talladega, Ala., of whom his predecessor writes : " I was removed because I was a Democrat, and not in sympathy with the administration. It was believed that my successor, being a protectionist, was in sympathy with the administration and would support it." The uniformity with which Democrats were removed and Republicans appointed shows pretty clearly that political motives were not absent in the making of these changes. It appeared in some cases that quite full inquiries were made as to the political faith of candidates for appointment before their commissions were issued. Thus : C. A. Gildea was postmaster at Bracketsville, Tex., and on Sept. 16, 1889, he resigned. Not long afterward, Robert C. Ballantyne was appointed ; but a protest was filed against this appointment on the ground that Ballantyne was a Democrat. An

inspector who came to investigate a mail robbery was engaged for two or three days inquiring about Ballantyne's politics, questioning a large number of persons, among others the old postmaster. Mr. Gildea denied his right to make these inquiries. The inspector told Gildea that it was reported that Ballantyne was a Democrat, and that, as an agent would have to be sent out to investigate, he would attend to it himself and save the expense. After some months' delay, Mr. Ballantyne's political orthodoxy was vindicated, and he received the appointment. The employment of post-office inspectors to do this sort of political work at government expense carries with it its own criticism. These facts are furnished by the concurring statements of the postmaster resigned and the one appointed.

Out of 423 answers to our questions regarding the political services rendered by the former incumbent of the office, it appeared that in 83 cases such services were rendered, 16 cases were disputed, and in 324 cases the answers showed that no political services had been rendered while in office. We are inclined to believe, however, that the proportion of the old postmasters who did political work was very much larger than would appear from these figures.

To our inquiries as to the political services rendered by the new appointees in the last campaign and elsewhere we received 496 answers. In 155 cases it was stated that no services were rendered, 6 cases were disputed, while in 335 cases, a little over 63 per cent., the new appointees were active in party work. The positions held in the party organization were as follows: officers and members of state, congressional, county, and township committees, delegates to national, state, and congressional conventions, candidates for various offices, officers of Republican clubs, campaign speakers, county "leaders," distributors of tickets, etc. Chairmen and secretaries of county committees and delegates to congressional conventions are quite prominent.

Some of the new appointees state quite fully the political services rendered by them. Thus E. B. Fletcher, the new appointee at Morris, Ill., writes:—

I took part in the last campaign, as I have in every campaign, since the first election of U. S. Grant for President in 1868; was an alternate delegate to the last National Convention; was vice-president of the State Republican League; was chairman of Congressional Committee, was member of County Central Committee; was private sec-

retary to Lieutenant Governor. I am now, and ever have been since casting my first vote in 1868, a member of the Republican party. I am now, and have been for fifteen years, connected with the *Morris Herald*, a wide-awake, progressive Republican newspaper, as one of its publishers and editors.

Robert J. Rogers, appointed by the President at Searcy, Ark., states:—

I am chairman of the County Republican Committee, and have been for fifteen years, and have represented the county in nearly every State convention; and I have taken part in every campaign from General Grant down to the present. I owned some stock in the only Republican paper ever published in this place. The reason they are getting up a howl against me is because I am *a Republican*.

C. C. Bush, the appointee at Redding, Cal., has sent to your committee, neatly bound and in book form, a printed copy of the papers filed on his application. After the preface and table of contents appears the original petition from the patrons of the office and others, stating among other things the various offices which Mr. Bush had held, such as delegate from California to the National Convention of 1884, alternate elector, and an active worker in the campaign of 1888. It is signed by the judge of the Superior Court, chairman and secretary and other members of the Republican County Committee, editor of the Republican *Free Press*, county clerk, under-sheriff, sheriff, city attorney, marshal, and others, and is supplemented by a petition of Democrats that, when a change of political complexion of postmaster at Redding is made, they desire the appointment of C. C. Bush. This is signed by the secretary and treasurer of the Democratic County Committee, by the mayor, city treasurer, and others. Then follows a petition signed by all of the Republican members of the legislature of California. Then follows a certificate by Republicans of Tahama County that Judge Bush was an active, untiring Republican worker in the campaign of 1888, and rendered efficient services. Then follow letters from ex-Governor Low, General W. H. Dimond, chairman of the Republican State Central Committee, Hon. A. P. Williams, ex-Senator George A. Knight, Hon. M. M. Estee, chairman of the National Republican Convention of 1888, Charles F. Crocker, delegate to the Republican National Conventions of 1884 and 1888, two members of the Republican County Committee, ex-governors, members of Congress and other Republi-

can politicians, concluding with a letter from Hon. J. D. De Haven, M.C., from the first Congressional district. This is believed to be a fair sample of "a strong petition" for the appointment of postmaster.

Adolph Zadek, postmaster at Corsicana, Tex., writes:—

I held every position from precinct chairman to chairman of the Republican State Executive Committee; was a delegate at large from this State in 1876 to the National Republican Convention held at Cincinnati, Ohio. I am at present chairman of my Senatorial district. I published in this city, in 1872, a Republican newspaper, was proprietor of same, and spent for that honor \$2,000 out of my personal means and for the love of the Republican party. The paper was called the *Progressive Age*. I was an applicant, for the first time, under this administration for the consulate at Hamburg. You can find my papers on file in the State Department. I am personally known to the Hon. Secretary of State. Being a Southern Republican, I did not receive the appointment I thought I fully deserved for services rendered to the country and the party that saved the Union. Colonel J. C. Degress, and other leading Republicans of this State, wishing to see me recognized by this administration, requested me to make my application for this office. So I applied for same, and received my appointment. . . .

The following correspondence shows a Congressman's views on the claims of "party service":—

THE RISING SUN STOVE POLISH FACTORY AND BLACK LEAD WORKS.

ELIJAH A. MORSE, Proprietor.

ABNER L. MORSE, Agent.

ALBERT E. MORSE, Superintendent.

CANTON, MASS., March 23, 1889.

Mr. WM. BURNS, Plymouth, Mass :

Dear Sir,—Enclosed find a letter accompanying the petitions of Avery, Whiting, and Harlow, by which you will see I paid you and your assistant a compliment. Your petition was received yesterday, and forwarded to-day. Your friends waked up too late in the matter. I doubt very much if the President would appoint you or any other Democrat to a presidential office in the face of the clean sweep which the Cleveland Administration made of Republicans. From all I can learn, you will retire from the office with the good wishes of the people of Plymouth. Will you be kind enough to show this to your assistant?

Respectfully yours,

ELIJAH A. MORSE.

ADDRESS MORSE BROS., CANTON, MASS., U.S.A.

CANTON, MASS., March 18, 1889.

GEN. BENJAMIN HARRISON, President of the United States :

Dear Sir,—The commission of the present Democratic postmaster in Plymouth, Mass., in my district, expires the last day of March. I hand you herewith three petitions sent me by my constituents in that place,—one for the appointment of Winslow W. Avery, one for the appointment of Henry O. Whiting, and one for the appointment of Henry Harlow. These several petitions are numerous signed by the business men and first citizens of Plymouth. Should you do me the honor to desire my opinion, I say frankly it is difficult to decide between the three candidates. Either of them is well indorsed, and all are well qualified for the position. While Mr. Avery has the largest number of signers to his petition, Mr. Whiting has at least an equal indorsement from the business men of Plymouth; and, while Mr. Harlow has a smaller indorsement than either of the other two, he has among his indorsers the Plymouth Cordage Company, which is one of the largest establishments and manufactories of its kind in the world, and of course large patrons of the mail.

In your inaugural address, you stated that honorable party service would not be a bar to political preferment. Mr. Avery, the first gentleman named, is one of the editors of the *Old Colony Memorial*, an ably edited paper, having a large circulation in Plymouth County and for twenty-five years that paper has been a staunch, honorable, and able defender of the Republican Party, and to its influence is due, in a measure, the large Republican majority given in Plymouth County for the last twenty-five years. So that, if I am asked to decide between these three candidates on the ground of honorable and patriotic party service, I should give my preference to Mr. Avery.

I learn from my constituents that the present Democratic postmaster, whose term is now expiring, has faithfully discharged the duties of his office; and his assistant—who I hope will be retained by his successor—is an affable, pleasant, and courteous gentleman, universally popular in Plymouth.

ELIJAH A. MORSE.

FOUR YEARS' SERVICE.

One ground for the removal of postmasters is given thus, in the statement furnished by Mr. Clarkson: "Upon expiration of four years' service, and second commission not yet expired," and he states that there were 201 removals on this account. It will be observed that in these cases the commission of the postmaster had not expired. Such cases generally occur where the appointment was made in the first place to a fourth-class office, which became presidential during the administration of Mr. Cleveland and a new commission,

running four years, was thereupon issued by the President. The two terms of service, as fourth-class postmaster and as presidential postmaster, are thus added together in making up the four years. It is not claimed that these removals are made for inefficiency nor for the betterment of the service, but upon no other apparent ground than the impropriety of permitting a postmaster to serve more than four years. Instances of such removals are furnished in the following correspondence :—

POST-OFFICE DEPARTMENT,
OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL,
WASHINGTON, D.C., Feb. 20, 1890.

Dear Sir,—Your letter of the 12th inst., addressed to the President, and requesting to know why you had been displaced as postmaster at Neodesha, Kan. is received.

In reply, I beg to state that your original appointment was dated Dec. 4, 1885, while the office was fourth class, and you have had continuous possession for over four years.

Yours truly,

J. S. CLARKSON, *First Ass't P.M. Gen'l.*

L. W. LEE, Esq., Neodesha, Kan.

John C. McCauley was appointed postmaster at Searcy, Ark., in July, 1885. In July, 1887, the office became presidential, and he was confirmed as postmaster for four years. In answer to an inquiry respecting his removal, the Postmaster-General responds as follows :—

POST-OFFICE DEPARTMENT, OFFICE OF POSTMASTER-GENERAL,
WASHINGTON, D.C., Sept. 11, 1889.
Mr. JNO. C. MCCAULEY, Searcy, Ark.:

Dear Sir,—Answering your letter, which bears no date, I beg to say that an examination of the records of the office shows that you were appointed originally on the 9th of July, 1885, and therefore you have held the office for more than four years fixed for the term. You would have no reason to complain if the President were to make a new appointment. I shall lay the case before him at an early day for his action.

Yours truly,

JNO. WANAMAKER, *Postmaster-General.*

The following copy of a letter from the Postmaster-General is sent to us by C. T. Marsh, the removed postmaster at Oregon, Ill. :—

POST-OFFICE DEPARTMENT, OFFICE OF POSTMASTER-GENERAL,
WASHINGTON, D.C., Oct. 10, 1889.

Mr. C. T. MARSH, Oregon, Ill. :

Dear Sir,— I have to-day the honor of your letter of the 7th, inquiring as to the appointment of postmaster in your city, and beg to say that no charges of any kind were made against you, but the removal was made on the recommendation of the member of Congress representing the district in which your office is located, because you had served a term of four years and upwards, having been appointed by the removal of your predecessor when Congress was not in session.

Yours truly,

JNO. WANAMAKER, *Postmaster-General*.

Mr. W. J. Johnson had been appointed postmaster at Manchester, Mass., Oct. 1, 1885. The office was then a fourth-class one. Later it became a presidential one, and Mr. Johnson was reappointed Jan. 16, 1888, his commission expiring Jan. 16, 1892.

The position of the administration is clearly expressed in the following letter of the Postmaster-General :—

WASHINGTON, D.C., Sept. 18, 1889.

Mr. W. J. JOHNSON, Postmaster, Manchester, Mass. :

Dear Sir,— In reply to your letter of the 17th, I beg to say that it is held that, when a man holds an office for four years, which is the usual term in cities and municipalities under the federal government, he enjoys a full term. Your commission dates from Oct. 1, 1885; and all postmasters' commissions are at the pleasure of the President, who is taking great pains not to allow the removal of any good officer until he has had four years' enjoyment of the office.

Yours truly,

JOHN WANAMAKER, *Postmaster-General*.

The following letter from the member of Congress for the district shows that he considers the matter simply a question of the length of the term and politics, and not of fitness for the place :—

SALEM, MASS., Sept. 18, 1889.

Dear Sir,— Yours of 17th have received, also one of same date enclosing your commission, which I return this mail.

Your present commission appears to run to January, 1892; but I

have been informed that you will have served four years in January next, and it is my impression that the Post-office Department think so, too.

Yours very truly,

WILLIAM COGSWELL.

W. J. JOHNSON, Postmaster, Manchester, Mass.

The term of Jno. R. Brunt, postmaster at Osage Mission, Kan., expired Feb. 10, 1890. He was removed, and Ebenezer B. Park appointed on July 31, 1889. Prior to his removal, on Nov. 23, 1888, Congressman Perkins wrote to him thus: "I know of no complaints made against your efficiency; and, so far as I know, all that are asking for the privilege of succeeding you admit that you have made a faithful and efficient officer, and they seem to take pleasure in bearing this testimony in your behalf, but desire to succeed you as Republicans." His successor, Mr. Park, writes as to the causes of the change: "I understand that this is a Republican administration. I was appointed because I was the choice of a large majority of the patrons of the office, and because the term of the Democratic incumbent had expired." (By the expiration of the term, Mr. Park probably means that Mr. Brunt had held the office more than four years.

It seems evident that this cause for removal, like the others, is designed to cover a removal made for political reasons; and the political motive is all the more apparent from the inconsistency in appointing several Republicans who, prior to the last administration, had served four or even eight years.

If it is right, as we believe it is, to reappoint efficient Republicans who have held office four years or more, why is it not proper, excepting from political motives alone, to allow efficient Democrats to serve out the terms of their respective commissions, whether they had been in office four years or not?

On a careful inspection of the answers received, stating the dates of the expirations of the terms of the incumbents removed, it would appear that removals have been made on an average sixteen and one-half months before the expirations of these terms.

APPOINTMENTS DICTATED BY CONGRESSMEN.

The influence of Congressmen in dictating removals and appointments is very clearly shown in a letter sent by the chief clerk of the Post-office Department to Edward Smith, postmaster at Carrollton, Ill., which is as follows:—

POST-OFFICE DEPARTMENT, OFFICE OF THE CHIEF CLERK,
WASHINGTON, D.C., Nov. 25, 1889.

Sir,—In reply to your letter of the 7th inst., which has been referred to this department by Rev. J. W. Scott, I beg to inform you that a change of postmasters for Carrollton was made upon the recommendation of Senator Cullom; that the postmaster has been commissioned; and that recommendation of this character is in accordance with the long-standing practice of the department, deemed to be the best ground of action. Very respectfully,

W. B. COOLEY, *Chief Clerk*.

Mr. EDWARD SMITH, Carrollton, Ill.

Ebenezer M. Lockwood was postmaster at Burlington, Kas., upon the incoming of the present administration. Harrison Kelly, member of Congress from that district, on July 10, 1889, wrote to Mr. Lockwood the following letter:—

HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C., July 10, 1889.

P. M. LOCKWOOD, Burlington, Kan.:

My dear Sir,—I have been conferring with the department in reference to the appointment of your successor. Your four years from first appointment expire the 28th of this month. I think your successor will be appointed at that time. Courtesy to you suggests that you have an opportunity of resigning, to take effect August 1, if you wish to do so. Would be glad to hear from you in reference to the matter at an early date. Respectfully,

HARRISON KELLY.

Mr. Lockwood, however, did not resign, and was removed, Squire M. Lane being appointed in his place. Immediately upon his appointment, Mr. Lane appointed the daughter of Congressman Kelly to a place in the office, and a short time afterward promoted her to be assistant postmaster.

In many cases, it was stated that the new appointee was active in Congressional conventions in behalf of the Congressman nominated at such conventions and by whom he was recommended for the place.

In every answer received from the State of Arkansas except one, the change is attributed to the influence of the Hon. Powell Clayton.

Offensive partisanship seems to have been employed as an agency of removal by this administration in much the same way as by the last. The following special despatch to the Chicago *Daily News* of

March 19, 1889, published in an issue of March 20, states as follows :—

Special to the Chicago Daily News.

WASHINGTON, D.C., March 19.—Representative Payson, of Illinois, made a test case before the Postmaster-General yesterday; and the result is shown in the list of nominations that came to the Senate to-day. Judge Payson said to the Postmaster-General: "I want Mark A. Reno, postmaster at Pontiac, removed. That is the town where I live. I have no charges to make against his official or personal character or conduct, except that he is a Democrat, and an offensive partisan. He did all he could to defeat the Republican presidential ticket, and my election to Congress; and I desire to make an example of him. I submit his case first, because I want to know what to do in other cases; and I want to have the department decide whether offensive partisanship is a sufficient cause for removal."

Mr. Reno informs us that he wrote to the department to ascertain whether this information was correct, and received a reply that it was.

It is clear to your committee that the motive for the numerous changes, more than sixty-four per cent., of all the presidential postmasters has been in great measure political. Mr. Clarkson, in an interview sent through the Associated Press to all the leading newspapers of the country, is reported as saying: "The President has made no removals except for cause, for delinquency, inefficiency, or violation of law. He has refused to make any changes for partisan reasons." Our inquiries have led us to the conviction that this declaration cannot be true; and, in our opinion, it would have been more just to have acknowledged the existence of political influences. This would have involved an inconsistency with the promises of the last Republican platform, that the "spirit and purpose of the Civil Service Law should be observed in all Executive appointments." But, where the fact is as clearly established as it is in this case, the avowal of such inconsistency would have been far better than the attempt to conceal it by giving reasons for the changes, which, in point of fact, are not the real ones.

MR. CLARKSON AND MR. WANAMAKER.

It was indeed hardly to be expected "that the spirit of civil service reform" in the Post-office Department could be enforced through such instrumentalities as Mr. Clarkson and Mr. Wanamaker. Mr. Clarkson has been openly and conspicuously an opponent of the

reform. At Boston, at Pittsburg, and elsewhere, he has in public speeches endeavored to discredit the system to which his party pledged itself. His appointment as First Assistant Postmaster-General, gave him, we believe, control of a larger amount of patronage than that of any other officer appointed by the President.

The opposition of the Postmaster-General to civil service reform has been less candid, but it has been no less intense. There are circumstances which have occurred since he has been in office clearly showing his hostility to the platform of his own party in regard to this reform. Marshall Cushing, who afterward became his private secretary, undertook on his behalf an investigation of the present civil service system by addressing letters to a number of gentlemen interested in the reform, of which the following is one:—

BOSTON ADVERTISER, WASHINGTON OFFICE,

Oct. 23, 1889.

Confidential.

Dear Sir,—I have undertaken some investigations of the present civil service system *for a cabinet officer*, and beg to ask your distinguished assistance.

Why is the law and the Commission subject to so much criticism at this time? What answer do the civil service reformers make to the objection that a civil pension list is the logical result of the present system; to the objection that, having certified enough clerks to last ten years, and having instituted yearly re-examinations, the Commissioners are open to the charge of merely providing themselves with employment; to the objection that the efficiency of the departments will be seriously interfered with in ten or fifteen years by the old age of many of the clerks who cannot be removed? Why should not *both parties discard all their insincere professions for the law*, and have the *patriotism to go back to the old system*, under which it was inquired simply whether the man was honest, capable, and faithful to the Constitution? How does the administration of President Harrison please the civil service reformers of the West? How has it compared in that respect with President Cleveland's administration?

What you write me, if I am honored with your confidence, will be merely for the eye of the cabinet officer referred to, and will not be printed.

With the greatest respect,

Your obedient servant,

MARSHALL CUSHING.

Hon. WILLIAM DUDLEY FOULKE, Richmond, Ind.

As this letter was unsolicited, and refers to a public matter only, the inquiries being made for a public officer and for public purposes, its contents can in no sense be regarded as confidential. It is believed that this is the first instance in which an inquiry instituted on

behalf of a cabinet officer is based upon the assumption that the platform of the party upon which he came into power was insincere and unpatriotic.

The feeling of the Postmaster-General toward civil service reform also appears in the statements made by him regarding Commissioner Roosevelt before the Select Committee of the House of Representatives on reform in the civil service; and the report of this committee, which fully exonerated Mr. Roosevelt, is a severe commentary upon the groundlessness of the Postmaster-General's allegations.

The Postmaster-General's attitude toward the reform is further shown by his statement to Congressman Rockwell, of Massachusetts, who recommended the reappointment of Gilbert W. Farrington, a Democrat, as postmaster at Monson. Farrington was indorsed by the mass of the citizens and business men of that place without regard to party, and his petition was then the only one on file. The statement made by Mr. Wanamaker, and taken down in writing by Mr. Rockwell, was as follows: "The Postmaster-General declines to recommend to the President the appointment of a Democrat unless it is clear that there is no Republican to fill the place." It is not hard to divine the motive for removals and appointments under such an administration of this department.

Respectfully submitted,

WM. D. FOULKE, *Chairman.*
CHAS. J. BONAPARTE.
RICHARD H. DANA.
WAYNE MACVEAGH.
SHERMAN S. ROGERS.

CENSUS BUREAU.

SIXTH REPORT OF THE SPECIAL COMMITTEE OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE APPOINTED TO INQUIRE INTO THE CONDITION OF THE FEDERAL CIVIL SERVICE AND OP- ERATION OF THE REFORM LAW.

*To the Executive Committee of the National Civil Service Reform
League:—*

In the last Republican platform, it was declared "The reform of the Civil Service, auspiciously begun under Republican administration, should be completed by the further extension of the reform system, already established by law, to all grades of the service to which it is applicable." This declaration was embodied in the platform as a specific pledge; and the construction of this written agreement, made with the voters of the country, is not difficult. The law provides (Civil Service Act, Sections 1 and 2) that the President shall appoint three Commissioners whose duty it shall be to aid him in preparing suitable rules, providing for open competitive practical examinations, all places classified by the rules to be filled by selections from those graded highest, with a period of probation before appointment. These rules are entirely under the control of the President and the Commissioners appointed by him, and it is within his power under this act to extend them to any grades of the service to which they are applicable. The promise of the Republican platform, therefore, was not that new laws should be enacted, but that the system should be extended by the President. Nor, within certain limits, could there be any question as to the offices to which the civil service system was applicable. The object of this system was to take subordinate administrative places out of the field of political controversy, and to make appointments to these places depend upon the fitness of the appointee as proved by competitive examination

and probation, and not upon patronage and political favor. It was applicable, then, to non-political administrative offices.

If there was any branch of the service which should have been kept free from party controversy, it was the Census Bureau. It was the plain duty of those in charge of this bureau to give to the people the exact facts as to all matters inquired of, unwarped by political bias.

In every decade the government spends millions of dollars upon this census, and the importance of accuracy and thoroughness in the work cannot be overestimated. The census is at once a record of our progress as a people, a picture of our condition in each successive ten years of our national history, and the basis of instructive comparisons with the condition and progress of other nations. The representation of the several States in the popular branch of Congress rests upon its statistics of population. No one will dispute that unfairness, incapacity, or blundering in the census is a grave public misfortune, and that the officers charged with a work of such importance should use every precaution to prevent the belief that their work is partial or incomplete.

The census ought to be as free from partisan color as the Judiciary. Otherwise, no one can rely upon the accuracy of its conclusions. To gain the confidence of the people, it ought to be not merely fair and just, but it should be removed from the appearance of corrupt or partisan influence. The good sense of our ancestors made it an illegal act for a trustee to put himself in a position where he could make profit out of the trust funds in his control, even though actual fraud could not be shown. An evident analogy makes it an improper act for one political party so to monopolize the taking of the census as to be in a position to profit from the result. If an administration has a free choice between a non-political and a political agency for taking this enumeration, and chooses the latter, composed of officials of its own political faith, the presumption is against the fairness of a census so taken. The results of such a census will be apt to reflect something of the bias of those who take it. And, even if it were fair, many would not believe it to be fair. Suspicion is cast on such a census in advance of enumeration; and if, at the close of the work, many inaccuracies are shown, resulting in some cases in the advantage to the party by whom it is taken, the work is sure to be discredited.

It had already been demonstrated, by actual experience, that the patronage system as applied to this branch of the service was liable to grave abuses, and frequently resulted in the appointment of incompetent officials, and that the reform system was well adapted to a bureau of this kind. This is manifest from the previous experience of the Census Bureau itself as well as from an examination of the methods pursued in the taking of statistics in the State of Massachusetts, and from a comparison between the patronage and merit systems in the taking of the census in England and Scotland.

The defective results in the Census of 1870 were directly traceable to the patronage system. Francis A. Walker, under whose supervision this census, as well as that of 1880, was taken, says in a publication of the American Statistical Association (December, 1890): "The local supervision of the census in the Southern States was, by the defeat of General Garfield's bill, thrown back into the hands of the marshals of the United States courts. . . . The whole battle against the Garfield bill had been fought on the question of patronage. It was for the purpose of retaining this large body of more or less lucrative appointments in the hands of the dominant party that the United States marshals rallied at Washington during the winter of '69 and '70 to defeat the House measure. They wanted to use these thousands of offices as a means of strengthening their hands in their respective districts, to fight the Ku-Klux and the illicit distillers, to build up the Republican party and consolidate the negro vote, and, in general, this was precisely the use to which these offices were put. . . . The result was an enumeration which we know now, from indisputable evidence, to have been in many parts of several Southern States inadequate, partial, and inaccurate, often in a shameful degree."

And not only are the disastrous results of patronage appointments shown by the Census of 1870, but the improvement produced by the elimination of partisanship from the census is shown in the comparatively satisfactory results and general confidence in the Census of 1880.

In respect to this census it is true that no competitive system was adopted. This was before the passage of the Civil Service Law, and before the introduction of these methods into our federal service; but the essential element of the civil service system — namely, the exclusion of political consideration in appointments — was largely observed. Mr. Walker tells us in the same article, "Supervisors

were appointed from either party with the utmost impartiality; and, as they were themselves selected without regard to partisan services, they were instructed that it would be considered an offence and an abuse of trust if, in their own appointment of enumerators, they allowed partisan motives to appear."

The following extract from the letter of the chief of the Bureau of Statistics to the Civil Service Commissioners of Massachusetts, dated Nov. 27, 1885, shows the success that attended the application of civil service methods to the taking of the decennial census in that State:—

I am very happy to inform you that, as a whole, the force supplied by you is very much superior to the one we should have been likely to have secured through the old method of personal application and the indorsement of friends. . . . In intelligence, in capacity, in attainment, and in attendance upon work, our present force reflects the greatest credit upon the civil service system.

I am, very respectfully, your obedient servant.

CARROLL D. WRIGHT.

In England, after nearly all places in the civil service had been included in the rules prescribing competitive examination, the positions in the Census Bureau were left out and remained a part of the government patronage. The results of this omission, as shown in several investigations, were deplorable. The report concerning the civil service in Great Britain, communicated to the two Houses of Congress at the beginning of the session of the 40th Congress (pages 155 and 156), says, concerning an official inquiry made in England in regard to the Census of 1871: "The head of the office gives a sad account of the motley imbeciles put upon him by the members of Parliament taking the census. 'They were a heterogeneous mass, from fourteen to sixty years of age, who had tried many occupations, and had failed in all.' When the Registrar was ordered to take the census in 1871, he says he supposed he was to be allowed better clerks, obtained through open competition under the order of 1870, but he was deprived of them.

"'The Lords of the Treasury decided against me, and their Lordships took to themselves the patronage and divided it among members. Their Lordships, acting on the old system, and following the recommendation of influential adherents, nominated no fewer than two hundred sixty-one census clerks.' He found that inquiry into their character and history 'was productive of pain and confusion,'

and he gave it up. But he forced this miscellaneous herd of official favorites into a pass examination before the Commission, *which rejected fifty-seven per cent. of them*, and with the residue the Registrar succeeded in taking the Census of 1871, and wonders that he could do it. He says, 'Nothing could be worse than the system of nomination of clerks by the Treasury.'

The report of the "Committee appointed by the Treasury to inquire into Certain Questions connected with the Taking of the Census," made on the 23d of May, 1890, together with the evidence upon which this report is based, also demonstrates the superiority of the merit system.

In Scotland, competitive examinations were adopted in the Census of 1881. The result is shown in the testimony of Mr. Stair Agnew, the Registrar-General (see pp. 83 and 84), who thus describes the manner in which the clerks in this office were supplied:—

A. 1922. It was arranged that all the names that were sent to me as applicants should, after inquiry by myself as to their general fitness, be sent up to the Civil Service Commissioners, who held a competitive examination, and selected those at the top of the list. I should state that the patronage was in the hands of the Treasury at that time, but it was arranged by myself with the Secretary of the Treasury that I should directly send up the names to the Civil Service Commissioners.

Q. 1923. But, in the first place, was any person at liberty to send in his name, or were the persons whose names you received nominated by the Treasury?

A. Any person was at liberty to send in his name, either to myself or to the Treasury.

Q. 1927. In fact, it was an open advertisement?

A. Yes.

Q. 1932. Did they give you satisfaction?

A. Yes.

Q. 1938. They did their work intelligently?

A. Very much so.

Q. 1942. And you propose to follow the same principle in the coming census?

A. I should be quite satisfied to do so.

In England, on the other hand, the clerks employed were nominated by the Treasury patronage, and underwent "a rough examination by the Civil Service Commissioners"; but the results seem to have been lamentable. Dr. Ogle, the Superintendent of Statistics in England, thus testifies (p. 11):—

A. 238. The clerks who have been sent by the Treasury to the Census Office hitherto have contained a number of gentlemen who have fallen out of their occupations, and are anxious to get something to do; and, as a rule, a very large proportion of them have turned out to be absolutely unfit for any work at all, certainly for any work that requires either honesty or intelligence. A very great deal is work which practically cannot be checked. Anything that we could check, anything that was checked, we found was oftentimes done so badly that it was hardly worth having had done at all; and the inference is that the unchecked work must have been very imperfectly done.

Q. 248. You get them now from the Patronage Secretary of the Treasury?

A. That is how we have had them hitherto. At each census there has been a protest against this mode of appointment, owing to the experience of the past one.

Q. 249. Would any rough kind of examination by the Civil Service Commissioners help you?

A. There was one, but it was quite ineffectual.

A. 261. I am afraid myself that no mere pass examination will meet the difficulty.

It is true that good men are occasionally obtained, and fairly good work done under the patronage system. Thus in Ireland, where the system is a mixed one, the clerks being the copyists of the civil service, and the temporary clerks appointed by the Lord-Lieutenant, and submitted to an examination by the Civil Service Commission, the apparently suitable persons being selected first, and the poorer men gradually weeded out by examination of the Registrar-General, Dr. Grimshaw declares:—

A. 564. I think the thing was fairly done on the whole. We certainly got a very fair set of men. Very few of these men misconducted themselves during the course of the work.

The committee report (p. viii) that they trust it may be found feasible to introduce a system of transfer from other branches of the civil service. And, if this should not be the case, they would regard with satisfaction the adoption of a method of appointing the requisite assistance, by open competition, at an examination to be conducted by the Civil Service Commissioners. Open competition was accordingly held in London, in February, 1891, for filling temporary clerkships in the Census Office, the examination being on the following subjects:—

POST-OFFICE DEPARTMENT, OFFICE OF THE CHIEF CLERK,
WASHINGTON, D.C., Nov. 25, 1889.

Sir,—In reply to your letter of the 7th inst., which has been referred to this department by Rev. J. W. Scott, I beg to inform you that a change of postmasters for Carrollton was made upon the recommendation of Senator Cullom; that the postmaster has been commissioned; and that recommendation of this character is in accordance with the long-standing practice of the department, deemed to be the best ground of action. Very respectfully,

W. B. COOLEY, *Chief Clerk*.

MR. EDWARD SMITH, Carrollton, Ill.

Ebenezer M. Lockwood was postmaster at Burlington, Kas., upon the incoming of the present administration. Harrison Kelly, member of Congress from that district, on July 10, 1889, wrote to Mr. Lockwood the following letter:—

HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C., July 10, 1889.

P. M. LOCKWOOD, Burlington, Kan.:

My dear Sir,—I have been conferring with the department in reference to the appointment of your successor. Your four years from first appointment expire the 28th of this month. I think your successor will be appointed at that time. Courtesy to you suggests that you have an opportunity of resigning, to take effect August 1, if you wish to do so. Would be glad to hear from you in reference to the matter at an early date. Respectfully,

HARRISON KELLY.

Mr. Lockwood, however, did not resign, and was removed, Squire M. Lane being appointed in his place. Immediately upon his appointment, Mr. Lane appointed the daughter of Congressman Kelly to a place in the office, and a short time afterward promoted her to be assistant postmaster.

In many cases, it was stated that the new appointee was active in Congressional conventions in behalf of the Congressman nominated at such conventions and by whom he was recommended for the place.

In every answer received from the State of Arkansas except one, the change is attributed to the influence of the Hon. Powell Clayton.

Offensive partisanship seems to have been employed as an agency of removal by this administration in much the same way as by the last. The following special despatch to the Chicago *Daily News* of

March 19, 1889, published in an issue of March 20, states as follows :—

Special to the Chicago Daily News.

WASHINGTON, D.C., March 19.—Representative Payson, of Illinois, made a test case before the Postmaster-General yesterday; and the result is shown in the list of nominations that came to the Senate to-day. Judge Payson said to the Postmaster-General: "I want Mark A. Reno, postmaster at Pontiac, removed. That is the town where I live. I have no charges to make against his official or personal character or conduct, except that he is a Democrat, and an offensive partisan. He did all he could to defeat the Republican presidential ticket, and my election to Congress; and I desire to make an example of him. I submit his case first, because I want to know what to do in other cases; and I want to have the department decide whether offensive partisanship is a sufficient cause for removal."

Mr. Reno informs us that he wrote to the department to ascertain whether this information was correct, and received a reply that it was.

It is clear to your committee that the motive for the numerous changes, more than sixty-four per cent., of all the presidential postmasters has been in great measure political. Mr. Clarkson, in an interview sent through the Associated Press to all the leading newspapers of the country, is reported as saying: "The President has made no removals except for cause, for delinquency, inefficiency, or violation of law. He has refused to make any changes for partisan reasons." Our inquiries have led us to the conviction that this declaration cannot be true; and, in our opinion, it would have been more just to have acknowledged the existence of political influences. This would have involved an inconsistency with the promises of the last Republican platform, that the "spirit and purpose of the Civil Service Law should be observed in all Executive appointments." But, where the fact is as clearly established as it is in this case, the avowal of such inconsistency would have been far better than the attempt to conceal it by giving reasons for the changes, which, in point of fact, are not the real ones.

MR. CLARKSON AND MR. WANAMAKER.

It was indeed hardly to be expected "that the spirit of civil service reform" in the Post-office Department could be enforced through such instrumentalities as Mr. Clarkson and Mr. Wanamaker. Mr. Clarkson has been openly and conspicuously an opponent of the

- 1st. Handwriting.
- 2d. Orthography.
- 3d. Copying manuscript.
- 4th. Copying figures and tabular statements.
- 5th. Arithmetic.
- 6th. (Optional) Geography.

Candidates were notified that the employment was purely temporary; that every person employed would be liable to dismissal at any time at the discretion of the Registrar-General; that, on the cessation of service, no claim for further employment would be entertained; that no pension or gratuity would be given on retirement or dismissal; and that the successful candidates must be prepared to commence their services when required.

It thus appears that experience in England as well as in our own country has demonstrated the advantage of appointing men to this bureau under the competitive examinations conducted by the Civil Service Commission.

If, then, the promise of the Republican platform had any significance at all, it meant that the President would extend this competitive system to the clerks of the Census Bureau, when that bureau should be established. Mr. Harrison, in concurring with and adopting the platform, distinctly made this promise his own, and emphasized it by the declaration that, "in appointments to every grade and department, fitness, and not party service, should be the essential and discriminating test," and in the statement that "further extensions of the classified list were necessary and desirable."

The act of March 1, 1889, providing for the taking of the census, gives the Secretary of the Interior the power to appoint the clerks of the Census Bureau, and provides that all examinations for appointment and promotion shall be in his discretion and under his direction. The Secretary is himself an appointee of the President, and subject to his control. It would have been easy for the President, if desirous of extending the reform system, to have had appointments in this bureau made without regard to political considerations. This might have been done by the appointment of clerks in the bureau through competitive examinations under the control of the Civil Service Commission. Such a course would, in the hands of the present Commissioners, have given an absolute guarantee of the fairness and non-partisan character of the appointments. If the President and Secre-

tary were unwilling to do this, they could have instituted competitive examinations for this bureau alone, publicly announcing that the places were open to all and that political influence would not be regarded in making appointments. The President was indeed solicited by the Civil Service Commissioners to cause a system of competitive examinations to be adopted for the clerks in this office ; but he declined to have this done, and, in the words of the Superintendent of the Census (see report of Nov. 6, 1889, page 4), the examinations required by the rules were not competitive, but merely tested the qualifications of such candidates only as might be designated for examination by the Superintendent of Census. It thus appears that the superintendent was permitted to retain in his own hands the power of making nominations without which admission to the Census Bureau was impossible.

The well-known opinions of Mr. Porter, who was selected by the President to administer this office, made it certain that these appointments would become in great measure matters of political patronage.

Mr. Porter's opposition of civil service reform methods clearly appears in his testimony before the House Committee on reform of the civil service, Sept. 9, 1890. He said (p. 125) that civil service methods were "creating a system of barnacleism." Again: "There was some effort [p. 112] to have the census brought under the control of the Civil Service Commission. The main objection I urged at the time was on account of the temporary employment." Mr. Porter further stated that in the Census Bureau appointees were, as a rule, recommended by Republicans (p. 124).

The act of March 1, 1889 (Sect. 4), provides that the Secretary of the Interior shall, upon the recommendation of the Superintendent of the Census, designate the number of supervisors, who are to be appointed by the President with the advice and consent of the Senate, and directs that "each supervisor shall designate to the superintendent suitable persons, and with the consent of the superintendent shall employ such persons as enumerators within his district, one for each subdivision, *who shall be selected solely with reference to fitness and without reference to their political party affiliations.*" It will thus be seen that the act itself endeavors to incorporate the principle underlying civil service reform, which is that in these subordinate, non-political offices appointments shall go by merit, and not by political favor. If this provision had been fully enforced, complaints of the partisan

character of the census could not justly be made; but, unfortunately, the supervisors were themselves largely appointed upon political considerations, and the result was that the appointments of enumerators was in many localities a matter of political patronage. Republican members of Congress nominated great numbers. Sometimes the recommendation of Democratic members and other influential politicians procured the appointment of a few, the object being apparently to add to the political strength of the office. The great mass of officials, clerks, supervisors, and enumerators came from the Republican party. Whatever the motive was, such a line of conduct was sure to discredit the result. Even had it been true that it was not possible to select the enumerators under civil service reform methods, it was certainly possible to select both clerks and supervisors without reference to political considerations; and the appointment of supervisors in this way would to a large extent insure the selection of non-partisan enumerators, as the law required. A careful inquiry made by your committee as to the character of the enumerators appointed shows that, while in some places political considerations had no weight and the work was, on the whole, well performed, yet the supervisors were influenced in many other cases by partisan considerations. Men were often chosen without reference to their fitness on account of their political services; and in such cases the work was often badly done, and in many instances thoroughly discredited.

As far as can be learned, the census was fairly well taken in Massachusetts. It was under the charge of a man who superintended the State Census of 1885. Appointments were not made there for political reasons. The same is true of the first district of Maryland, where the supervisor was a well-known statistical expert.

The report furnished us by the Secretary of the Civil Service Association at Bangor, Me., informs us that in that city the census seems to have been conducted in an impartial manner, and the men employed appear to have been selected for their efficiency.

The Secretary of the Civil Service Reform Association of Newburg, N.Y., also reports that in that place the enumerators were apparently competent, and the result satisfactory, so far as known. The same report comes from the Mayors of Atlanta, Ga., and Peoria, Ill.; and in Memphis, Tenn., while the result is unsatisfactory, this is not attributed to the enumerators, but to other local conditions.

From the Secretary of the Civil Service Reform Association at Madison, Wis., your committee learned that the character of those employed in the enumeration was extremely various, some competent and some quite the reverse. One of the enumerators was so illiterate as to be unable to spell the most ordinary words and names, such as "Samuel," "Canada," "lawyer," etc. Others are supposed to have been appointed solely as matters of patronage, their appointments being controlled by the Republican member of Congress and the post-master of Madison. The result of the census was most disappointing to the citizens, and the accuracy of the count is seriously questioned by men of both parties. The increase of population in ten years, as shown by the federal census, was 30 9-100 per cent. Comparing the vote cast for governor in 1880, the presidential year, with that cast for governor in 1890, a non-presidential year, there is an increase of 57 45-100 per cent. Democrats speak of it as a significant fact that Mr. Lafollette (the Republican member of Congress) boasted that he had the name of every voter in the district.

The Secretary of the Civil Service Reform Association at Norwich, Conn., says of the enumerators: "They are the men who are ready for odd jobs, given in the way party jobs usually are. I do not believe that a high degree of confidence is felt in the accuracy of the count, from such information as I can gather. So far as the statistics of industries and general business are concerned, I am strongly of the belief that very little confidence is felt in their accuracy."

The Civil Service Reform Association of Buffalo send us the following: —

The census in Buffalo was not satisfactory to any of our citizens. The announcement of the result was much delayed, and was given out in a fragmentary and uncertain manner, necessitating several successive changes in figures. It was evident that in some of the enumeration districts the work was not done promptly and correctly, and these delayed the whole enumeration. The newspapers without regard to party condemned it. The Mayor and the Merchants' Exchange formally expressed their dissatisfaction, and asked for a recount. . . .

The population of the city was first announced as about 252,000, then, after a special agent had been here, as about 257,000, and recently this has been changed to about 255,500.

We are not prepared to say that the defects in the local census were wholly due to the incompetency of the enumerators. Indeed,

some other contributing causes were apparent. Yet there is a general impression that, as a whole, the work of enumerators was not well done, and as a body they were not equal to their task.

The enumerators were nominally appointed by the local Supervisor of the Census, but actually they were forced upon him by the usual methods which control such appointments where they are not otherwise regulated by law. Personal considerations and partisan pressure undoubtedly dictated many of the appointments, and combined with other influences in bringing about others. It would not be fair to say that the fitness of the applicants was disregarded; but it was not the sole consideration. We have no hesitancy in asserting that the census in Buffalo would have been better taken if the enumerators had been selected on the basis of merit and fitness for their work, ascertained by suitable inquiries into these qualifications without regard to any other.

We append, without further comment, a copy of a circular letter signed by the local Supervisor of the Census, which has been published in the newspapers. This was sent to some, and probably all, the enumerators. It has been stated that this letter was merely a personal communication from Mr. Douglass, not official, and that at the time he had no control over the enumerators, and did not in any way attempt to coerce them, and that he explained his position personally to some of them. We give you this explanation with the letter:—

“OFFICE OF SUPERVISOR OF CENSUS FOR THE
11TH DISTRICT OF NEW YORK.

Oct. 28, 1890.

“To ————, Esq., *Census Enumerator*,
Post-office ————, County of ————.

“*My dear Sir*,—As it is of the utmost importance that a Republican member of Congress be elected in this district, I shall feel personally obliged if, on the day of the election, you will work specially for Benjamin H. Williams, the Republican candidate.

“Very truly yours,

“SILAS J. DOUGLASS.”

Mr. C. R. Lane, formerly Secretary of your investigating Committee, informs us as follows, in regard to the enumeration in Indianapolis:—

First. The enumeration was conducted by partisan enumerators. . . . The appointees, as a rule, have been of fair character, but there are notable exceptions. One, a negro lawyer by profession, a disreputable man by nature and training, and an acknowledged gambler, was appointed on a promise just before the spring election, in order to hold his vote; and he was heard to boast that the appointing

power did not dare to leave him off the list. He is a man whom respectable men would not admit to their houses except under protest. All appointments were delegated to a member of the local Republican County Central Committee, for this county and Wayne County, to my positive knowledge. . . . The recommendations of this committee-man were followed almost without exception. It is perhaps worthy of remark that the committee-man found himself involved in infinite annoyance, and was heartily sick of his job before it was completed. He found himself laboring with no reward either of money, comfort, prestige, or conscience.

Third. The results of the enumeration are satisfactory, this city showing a heavy rate of growth. Still, the satisfaction was obtained only after a vigorous onslaught of the press and privately on the alleged oversight of hundreds. Private enterprise was stirred up to assist in having every possible name enrolled. Every complaint was investigated, and the name added to the list, if not already there.

Your committee have received from Mr. Merrill Moores, the member of the Republican Central Committee referred to in the foregoing communication, a letter from which they make the following extracts:

Mr. Conger was appointed supervisor for this district. His home is at Flat Rock, on the south line of Shelby County, a good many miles from here. He has been a client of mine, and is a good fellow. One day he came into my office, and said he was bothered with a lot of applications for appointment as enumerator, and that he had called upon nearly everybody he knew in town for advice, and most people he had talked with had said, "Go to Merrill Moores: he knows more of these fellows than anybody else." He wanted my advice as to the competency of the applicants. Of course I gave it to him. . . . There were five Democrats appointed, and I think they were all who applied. This was, perhaps, because Democrats thought they would stand no chance; but the fact remains that there were no more applicants. The number of applicants was less than the number of districts in the city; and it was necessary to hunt up enumerators who were known to be competent, and persuade them to apply. . . . I asked one or two of them in *very bad districts to give me a list of the voters for their districts*; but no poll was ever made, and no enumerator was asked as to the politics of any man in his territory, and I know, as a fact, that no statement of any sort of the politics of any man was made by any enumerator to any of our party. *I paid myself for the list of voters, and obtained it for my personal use.*

The Secretary of the Geneva (N.Y.) Civil Service Reform Association informs us regarding the enumerators: "They were all Republicans; but, from what information we could gather, they seem to have been appointed, not with the view to benefit the Republican party, but

with the sole view of enhancing the political fortune of the member from this district, Mr. John Raines. Mr. Raines's friends were provided for. Any one that opposed him was ignored. Consequently, there is a very bitter feeling against Mr. Raines in his own party, which came very near defeating him when he was up for re-election last November, although the district is strongly Republican. . . . It was known that the enumerators received instructions to make a list of voters, and classify them as to party connection."

A copy of a letter from Congressman Raines to one of the enumerators appointed in this district was sent to your committee. It is as follows:—

My dear Sir,— As it is quite likely that you will in a few days be appointed enumerator for your district, I write you this in the strictest confidence. I would like very much that you should take the trouble, before you make your report to the Supervisor of the Census, and after you have taken all the names in your district, to copy in a small book *the name and post-office address of every voter* on the list. After you have done so, I wish you to send the book to me at Canandaigua. I ask you to do this as a personal favor, and to make no mention of the matter to any one. What I want *is a full list of all the voters* in your enumeration district. Will you please treat this matter as strictly confidential?

Very truly yours,
J. RAINES.

A letter was addressed to Mr. Raines as to the facts regarding this matter, and a copy of the letter was enclosed. He called upon the chairman of your committee, and stated that he could not say whether this was an exact copy of the letter sent, but that, if it were so, as might be the case, he had sent the letter in ignorance of the law, which required enumerators to keep secret the results of the enumeration, and that the Census Bureau was not responsible, but only the individual enumerator. He further stated that his purpose probably was to get this list for the purpose of distributing documents.

From the Chairman of the Civil Service Reform Association of Bloomington, Monroe County, Ind., we learn that the enumerators were selected there by and upon the recommendation of the Chairman of the Republican County Committee. They were engaged in making poll lists for the Republican party. Similar statements are made in regard to other counties and States.

In connection with these lists, your committee would call attention

to Section 8 of the act of March 1, 1889, which requires that each enumerator shall subscribe an oath *that he will not disclose any information contained in the schedules, lists, or statements, to any person or persons except to his superior officers*; and Section 13 provides that, if he shall, without the authority of the Superintendent of the Census, communicate to any person or persons not authorized to receive the same any information gained by him in the performance of his duty, he shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$500. If enumerators were allowed to remain ignorant of this law, the Superintendent of the Census deserves the greatest censure; if they were permitted to violate it wilfully, he is an accessory to a crime.

Hon. J. D. Alderson, M.C. of West Virginia, writes that the supervisor in his district has always been a prominent and active Republican, was the nominee of his party for prosecuting attorney, and beaten by some five hundred more than his party's lack of majority. "I do not know of a single case in which a Democrat was appointed by him as enumerator. He was a candidate for the Republican nomination for Congress in 1890, but was defeated. We have all understood that his appointments were partisan, and made with some view at least to his nomination to Congress; but there were too many pins for the holes, and he was not nominated, although many of his appointees were delegates to the convention in which he was defeated. In my own county the Republican Executive Committee held a meeting, and voted for persons to be recommended for appointment as enumerators. Mr. Mann appointed some of the persons agreed upon, others not; but his appointee, in every case, was a Republican."

It may be here remarked that the supervisors in all parts of the country were nearly always Republicans, and generally Republican politicians.

The following letter from Hon. H. Clay Evans, M.C., states what seems to be the grounds upon which many of these supervisors were appointed: "*Mr. Park was appointed upon my recommendation, and it is not my custom to recommend either political or physical eunuchs for appointment to office; and I presume he has followed a like rule in his appointments.*"

Undoubtedly, the worst effects of the patronage system of appointments are apparent in the city of New York. One, C. H. Murray, a

Republican politician, was made supervisor of the census of that city. The following circular letter from him, which has many times been published without question of its authenticity, shows the manner in which enumerators were selected:—

Dear Sir,—You will please forward to this office a list of the applicants that the Republican organization of your district desires to have named as census enumerators. This list must be sent here on or before April 1.

Of this method of appointment President Walker, of the Massachusetts Institute of Technology, who was Superintendent of the Ninth and Tenth Censuses, says, "If the selection of the enumerators was made upon any such basis as is implied by that, the census could not have been otherwise than bad." Such a method is a direct violation of Section 5 of the act providing for the present census, which prescribes that enumerators "*shall be selected solely with reference to fitness, and without reference to their political party affiliations.*" Such a method is also a violation of the supervisor's oath of office. The manner in which the appointments were made pursuant to the plan outlined in this letter appears from the statement to a representative of this committee of M. A. Greaves, who was personally present at the meeting on March 28 at 2250 3d Avenue, Republican Headquarters. All applications had been filled out in advance. Mr. Frank Raymond, a Republican leader of the 23d assembly district presided. Taking the applications, he seated himself at a table, with a couple of party workers beside him, who examined the Republican roll and checked off the names as the appointments were made. The process was simple: Mr. Raymond would call a name, the man called would go to the table, and Mr. Raymond would ask him, "Are you upon the roll?" His answer was always in the affirmative. The next question was, "What district would you like?" The applicant would choose a district, which, if it had not been already selected, would be assigned to him.

It is evident enough that among men thus appointed there must have been a considerable number who were utterly unfit for the work. And it is not surprising that among these men Police Inspector Byrnes should recognize well-known criminals. Mr. Byrnes states: "I know that some of the enumerators in this city were thieves. This very morning one of these enumerators came here to call upon

me. He had been three times an inmate of the State Prison. He was appointed upon the recommendation of a Republican judge. This thief's name is known to all the city detectives, and his picture occupies a prominent place in the Rogues' Gallery. He did not take the oath in his own name, and his dealings with the Census Bureau were under an alias." The danger of employing such men as census enumerators is very evident. Private houses were opened to them with the understanding that the government was satisfied with their trustworthiness.

And, even in cases where the enumerators attempted to do their duty, obstacles were interposed, at the supervisor's office, which often made this impossible. For instance, Mr. Alfred B. Thieme, an enumerator residing at 37 Ludlow Street, states that he could not get a sufficient number of blanks, and that many other enumerators were in the same predicament. His district was a tenement-house district, and very large; and it was difficult to extract from the people the necessary information. He wrote to the supervisor asking for an extension of time, and was refused. He had to leave out several tenement-houses. He returned three thousand names. Sheets were lost in the supervisor's office. Mr. Thieme believes, from his knowledge of this district, that there were four thousand people in it. He knew of other men who were refused an extension of time under the same circumstances, and their returns also were incomplete.

John W. Fulton, another enumerator, states that he returned all the people in his district that were in town, but that in block after block the houses were mostly closed, and hundreds were missed. He had no time to hunt up representatives of the absent families, nor was he inclined to do so at two cents a name. He was told to do the best he could about his schedule.

Mr. Samuel C. Sloan, a permanent boarder at the Madison Square Hotel, sends us an affidavit to the effect that there were thirty or forty permanent guests in this house, and at least ten domestics; that the census enumerators called but once, and took only two names, those of the proprietor and clerk; that Mr. Sloan notified Superintendent Murray forthwith, but that his complaint was never noticed and the census-taker never appeared again. This affidavit is also confirmed by an affidavit of Charles B. Fisher, the proprietor.

The probable inaccuracy of the census taken in the city of New

York first became apparent from an examination of the Vital Statistics prepared by the Health Department of that city. Very few persons who have been residents of the metropolis during the last ten years can question the improved sanitary condition of the city. The direct supervision of the plumbing, drainage, and ventilation of new houses under the laws of 1879 and 1881, affecting about six thousand tenement-houses and many other dwellings constructed since that time, the almost total demolition of vaults and cess-pools throughout the city, and the more rigid control of contagious diseases, led to the belief that the death-rate had considerably decreased.

There is a certain class of diseases known to physicians as "preventable." These are diarrhoea and zymotic diseases, the latter including small-pox, measles, diphtheria, meningitis, scarlet, typhoid, typhus, malarial and puerperal fevers, etc. These generally result from bad air, bad water, and bad drainage,—causes which can be greatly diminished by improved sanitary conditions. And, in fact, if the present census be assumed to be correct, and the population on June 1, 1890, be regarded as 1,513,501, as reported, the death-rate from zymotic diseases has decreased during the past decade from 8.31 per cent. to 7.29 per cent., and the death-rate in diarrhoeal diseases from 3.59 per cent. to 2.77 per cent. The death-rate from consumption has also diminished. This shows the improved sanitary condition of the city. But during the same time the general death-rate has advanced from 27.44 per cent. to 27.54 per cent., so that by the federal census we have the startling coincidence of an improved sanitary condition and an increased death-rate. If the federal census were true, there was also a considerable increase of the percentage of registered voters and of names in the city directory in proportion to the population.

In addition to this, the count of the city, as first added up and published, gave a population more than 100,000 greater than the aggregate afterward published.

These things led to the belief that the count was inaccurate; and the police authorities, by order of the Mayor, had the population of the city recounted. The result showed a population nearly 200,000 greater than that shown by the Federal enumeration, and the Mayor accordingly asked the Census Bureau for a recount. This was not granted. The request was then made to the Secretary of

the Interior; and the books containing the names, as taken by the police authorities, were sent to Washington, where Mr. Kenny, their custodian, offered to the Secretary of the Interior to take them for his inspection to any place the Secretary might designate, and to keep them there for comparison with the Federal schedules as long as might be necessary, the books still remaining in Mr. Kenny's custody. The Secretary refused to receive them unless they were absolutely surrendered to the exclusive custody of the Federal authorities, which Mr. Kenny was not authorized to do. The New York authorities, considering it impracticable to procure copies of the entire Federal enumeration, which would involve vast expense, determined to take one of the wards of the city and make the necessary comparison, and a copy of the Federal enumeration in the second ward was demanded, this being one of the smallest wards in the city, and one in which the comparison could be most easily made. A copy of the Federal list for the second ward was furnished. It contained 826 names, and 8 of these were found upon inquiry to belong to the First ward. The police enumeration for the Second ward contained 1,340 names,—a difference of 414, or more than 41 per cent., above the federal enumeration.

The Board of Health had previously taken an enumeration of the inhabitants of this ward during the first part of September. It was made rapidly in a single day, but it showed a population of 274 more than was reported in the Federal census.

The New York authorities now procured from the persons whose names appeared in the police enumeration, but who had been omitted from the census, affidavits showing their residence in that ward on the 1st of June last. Affidavits were furnished showing the residence of some 328 of these persons. The chairman of your committee has inspected a number of the books containing the police enumeration, as well as a copy of the Federal enumeration and of the Health enumeration of the Second ward. The work done by the police presents a neat appearance, and is in each instance verified by an affidavit. There are no doubt inaccuracies in it; and some of the affidavits of the residents afterwards taken are irregular in form. But a comparison of the two lists certainly indicates that a very large number of the residents of this ward were omitted in the Federal enumeration. For instance, your chairman ascertained that in the two squares bounded by Broadway, John, Nassau, and Liberty

Streets, there were no less than twelve houses wholly omitted from the census, in which it appears, both from the police reports and by the affidavits, that there were thirty-eight persons residing on the 1st of June last.

The chairman of your committee called upon John Kiernan, the enumerator of this district, and inquired concerning the manner of his appointment, and was told he secured it through the "regular channel," as an enrolled Republican of the 3d assembly district; that he got it through Charles Wagner, the brother of the candidate for the assembly; that one Reed was first appointed, also through the "regular channels," but soon found that it did not pay, and gave up the job after he had taken about fifteen names. Mr. Kiernan exhibited his commission, which was evidently the same one that had been issued to Reed in the first place, the name of Reed having been erased and his own inserted. Mr. Kiernan said that Reed threw down his book and was never required to report. The schedules taken by Reed were given to Kiernan, who proceeded to verify them; but some of the persons thus taken refused to give Kiernan any information, saying that they had already been enumerated. The names upon these schedules were not included by Kiernan in his returns. On December 8th Kiernan telegraphed to Superintendent Porter, "Schedules containing about fifteen names, which were not included in my returns, will be mailed to you early Monday morning." Kiernan stated that he had been unable to find these,—they had been lying somewhere around the house, but he could not find them. In this he was corroborated by the other members of the family, who said they had looked everywhere around the house, but that these schedules could not be found.

Nothing more seems necessary to show the untrustworthiness of a census taken by men appointed through the "regular channels" of political machinery.

And it seems that in a number of cases the names reported by Mr. Kiernan did not appear in the Federal lists. Whether the schedules containing these names were lost or destroyed, or in what manner the discrepancy occurred, is not known. Among these houses were the following: 102, 152, 140 Nassau Street, 35 Park Row, 25 Ann Street, 50 Nassau Street. Many others can be given. These facts appear from a comparison between the telegram sent by Mr. Kiernan to Mr. Porter, and read to the Census Committee of the

House of Representatives, with a copy of the federal enumeration of the Second ward.*

Indeed, there is strong reason to doubt the completeness of the enumeration made, not only in New York City, but throughout the entire country. Numerous corrections and additions have been made; and, in cases where a recount was ordered, the enumeration was sometimes found to be greatly defective. Thus Multnomah County, Oregon, had a recount, the result of which showed a population of 75,657, whereas the first enumeration gave only 61,000.† In several other cases, the enumeration was found to be incomplete when compared with the results of subsequent recounts by the local authorities. For instance, in the city of St. Louis over 12,000 names, and in Augusta, Ga., 4,150 (or over 12½ per cent. of the whole), appeared to have been omitted. Of course there is always a question which of the two enumerations is the more trustworthy, where two have thus been made; but, since the total result falls far short of what is to be expected from the statistics of emigration, vital statistics, and other evidences of growth, it is not unfair to presume that in many places where the first returns are still uncorrected they are probably inaccurate and unreliable.

The bulletin of Oct. 30, 1890, announces that the population of the United States was 62,480,540. In this bulletin the Superintendent of the Census considered it necessary to explain this result:—

Upon their face these figures show that the population has increased between 1880 and 1890 only 727,345 more than between 1870 and 1880, while the rate of increase has apparently diminished from 30.08 to 24.57 per cent. If these figures were derived from correct data, they would indeed be disappointing. Such a reduction in the rate of increase, in the face of the enormous immigration during the past ten years, would argue a great diminution in the fecundity of the population or a corresponding increase in its death-rate.

These figures are, however, easily explained. It is well known, the fact having been demonstrated by extensive and thorough inves-

* As the enumerators in New York City were appointed through the machinery of the Republican party, and as the city had a large Democratic majority and the result appeared to be an underestimate of the population, it was inferred that the error was intentionally made for the purpose of reducing the representation of New York in Congress. This inference, whether correct or not, was natural and inevitable, and will always be made whenever political considerations invade the Census Bureau.

† The President of the Board of Trade of Portland writes us that some of these enumerators were "political hacks," others too old to do the work, others mentally incompetent.

tigation, that the Census of 1870 was grossly deficient in the Southern States, so much so as not only to give an exaggerated rate of increase of population between 1870 and 1880 in these States, but to affect materially the rate of the increase of the country at large.

There is of course no means of ascertaining accurately the extent of these omissions, but in all probability they amounted to not less than 1,500,000. There is but little question that the population of the United States in 1870 was at least 40,000,000 instead of 38,558,371, as stated. If this estimate of the extent of the omissions in 1870 be correct, the absolute increase between 1870 and 1880 was only about 10,000,000, and the rate of increase was not far from 25 per cent. These figures compare much more reasonably with similar deductions from the population in 1880 and 1890.

The superintendent therefore justifies his own figures by assuming that the omissions in the Census of 1870 were not less than 1,500,000. He evidently sees that, unless this can be established, the results of the present census will be discredited. But in this explanation Mr. Porter makes no mention of the great increase of immigration in the past decade,—some two and one-half millions greater than in either of the preceding ten-year periods. This would make a difference of some $3\frac{1}{2}$ per cent.; and Francis A. Walker, who superintended the taking of the Ninth and Tenth Censuses, showed very clearly, in an address delivered before the National Academy of Science at Boston on November 11th, that a discrepancy of 1,500,000 in the Census of 1870 could not exist. That there were inaccuracies was not denied; but these losses occurred in districts where the colored people greatly outnumbered the whites, and where they had no regular abodes and often no family names. The percentage of growth in the whole country by decades and by periods of 20 and 30 years is as follows:—

<i>Census.</i>	<i>10-year period.</i>
1800	34.7
1810	36.3
1820	33.1
1830	33.5
1840	32.6
1850	35.8
1860	35.6
1870	22.6
1880	30.8
1890	24.6

The percentage of increase in the colored population (where the Census of 1870 was defective) is as follows :—

<i>Census.</i>	<i>Total per cent.</i>	<i>10-year period.</i>	<i>20-year period.</i>	<i>30-year period.</i>
1790	19.3			
1800	18.9	32.3		
1810	19.0	37.5	82.0	
1820	18.4	28.6	77.0	134.0
1830	18.2	31.4	69.0	133.0
1840	16.8	23.4	62.2	108.6
1850	15.7	26.6	56.3	105.4
1860	14.1	22.1	54.6	90.7
1870	12.7	9.9	34.1	69.8
1880	13.1	34.8	48.1	80.8

Taking the twenty years' periods, these show a constant decline in the percentage of increase of the colored people.

From 1860 to 1880 the fall is from 54.6 to 48.1 per cent. Now, if the Census of 1870 be omitted and the ratio in that year be fixed at the higher figure, the number of colored people would be 5,624,505. If the lower ratio, 48.1, be taken, the number would be 5,390,894. If the 30 years' period be adopted, the extremes to be followed were 90.7 for 1860 and 80.8 for 1880. If the former be taken, the number of colored people in the country in 1870 would have been 5,489,196. If the latter figure be taken, the number would be 5,206,992. The real figures could hardly have been higher than one of these estimates. The Census of 1870 returned the colored population at 4,880,009. The true colored population, if the census be omitted, must have been between the limits of 5,206,992 and 5,624,505. Taking either of these figures, the inaccuracy of the Census of 1870 would be less than one-half of the one and one-half millions which Mr. Porter claims, and the figures derived from the present census remain still unexplained.

In the face of the inaccuracies conceded and the omissions proved, it is far more likely that the present census is incomplete than that there has been the great diminution in the fecundity of the population or a corresponding increase in its death-rate which its figures necessarily imply.

Your committee consider that the following propositions have been established by the results of their inquiries :—

1. That the refusal to apply the civil service reform system of open

